THE

HISTORY

OF

ENGLAND,

AS WELL

Eccleſiaſtical as Civil.

BY

Mr De Rapin Thoyras.

VOL. XI.

CONTAINING

Part of the Reign of King Charles I.

Done into *ENGLISH* from the *FRENCH*, with large and uſeful Notes mark'd with an *, by

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MVSEVM
BRITAN
NICVM

CONSIDERATIONS ON THE AUTHORS

Who have Writ the HISTORY *of the Reign of CHARLES* I.

THE Civil War between *Charles* I. and the Parliament gave Birth to two Parties, who contended for Victory till the Battle of *Nazeby*. By this Battle, the Parliament acquired a Superiority, which enabled them to hold the King's Party, or the *Cavaliers*, in a ſort of Slavery, from which they were not delivered till 1660, by the *Reſtoration* of *Charles* II. After the *Reſtoration*, the *Royaliſts* in their Turn became ſo Superior, that the other Party durſt no longer hold up their Heads. This continued till the End of the Reign of *James* II, during the Space of Twenty-ſeven or Twenty-eight Years. In one or other of theſe two Intervals were written moſt of the Works wherein the Authors undertake to give an exact Account of the *Troubles of England* in the Reign of *Charles* I, with the Grounds and Cauſes of the ſame. From the Concluſion of the War to the *Reſtoration* of *Charles* II, the Friends of the Parliament had

had free Scope to write and publiſh whatever they pleaſed, whilſt the King's Favourers durſt not ſet their Names to their Writings. In this Interval came forth vaſt Numbers of polemical Writings, with ſo much Animoſity, ſo many Reproaches and Invectives, that it is no eaſy Matter for a Man, who is in ſearch after the Truth, to diſcern in all theſe Writings, the Proofs which may have ſome Solidity, and ſeparate them from the Preſumptions, falſe Conſequences, artful Suppoſitions, and Invectives wherewith they abound.

One of the moſt conſiderable Writings of thoſe Days was *Eikon Baſiliké*, or *the King's Portraiture*, publiſhed in 1649. It is ſcarce to be doubted that *Charles* I. was himſelf the Author. He undertakes in this Work to vindicate himſelf upon all the Articles laid to his Charge. It is properly an Abſtract of the Reaſons he had before publiſhed in ſeveral Papers printed by his Order, or addreſſed to both Houſes of Parliament. I have not quoted this Book in the Hiſtory of his Reign, becauſe it contains nothing with regard to the Facts or Proofs but what is more fully inſiſted on in the King's Meſſages, Anſwers, Declarations, that have already been ſeen at large. An Anſwer was publiſhed to this Book, where it was pretended to ſhow that the King had not ſpoken with Sincerity; and preſently after appeared a Reply to this Anſwer. This Work has been highly eſteemed, becauſe it contains all that can be ſaid to any purpoſe in favour of the King. It may be eaſily preſumed that the King omitted nothing material, ſince no body could know his Affairs better than himſelf. Accordingly, this Book has ſerved for Foundation to whatever has been ſince writ in his Favour.

Another very conſiderable Work, publiſhed a little after the Death of *Oliver Cromwel*, and dedicated to his Son *Richard* whilſt Protector, was *Ruſhworth's Collections*. This Work may very juſtly be conſidered as a Continuation of the Collection of the *Publick*

Publick Acts of *England*, of which I have made great uſe in this Hiſtory. It is a Collection of all that paſſed with reſpect to publick Affairs, from the Year 1618, to the Death of *Charles* I, not by way of Narration or Hiſtory, but they are Materials which may ſerve to compoſe a Hiſtory. It contains all that was done at Court and in the Parliament; the King's Proclamations upon ſundry Matters; his Speeches to *both Houſes*, and thoſe that were made by his Order; the Addreſſes or Petitions preſented to the King by the Parliament; his Majeſty's Anſwers; the Petitions preſented to the two *Houſes*; the Speeches made in the *Houſe* of *Commons*, as well as in the Courts of Juſtice; the Votes or Reſolves of the two *Houſes*, and their Conferences upon divers Subjects; the King's Meſſages to the Parliament, with the Anſwers; the Impeachments of the *Commons* brought before the Houſe of Lords againſt ſeveral illuſtrious Perſons; the Anſwers of the Parties accuſed; the Sentences; the Petitions of the *Commons* and *both Houſes* to the King, concerning Religion, *Tonnage* and *Poundage*, the Buſineſs of the *Militia*, Breaches of Privilege, the Affair of *Hull*; the King's Anſwers upon all theſe Subjects, and his ſeveral Meſſages about the ſame Matters; the King's and the Parliament's *Manifeſto's*; all the Events of the War; the Relations of the Skirmiſhes, Sieges and Battles; the Negotiations for Peace; a great Number of Papers, which give a perfect Knowledge of the Differences between the King and his *Scotch* Subjects, and of thoſe between the Army and Parliament, with the Negotiations between the King and both *Houſes*, after his Majeſty's Impriſonment; the Violence exerciſed by the Army upon the Parliament; the King's Condemnation and Death. Theſe Materials are the more valuable, as the Author draws no Conſequence from what he relates, and very ſeldom endeavours to prejudice his Reader by Reaſonings. So that every Man is free to make what uſe he pleaſes of them,

according to his own Principles. I ſhall ſpeak a little more fully of theſe Collections hereafter.

From the *Reſtoration* of *Charles* II to the End of his Reign, two other Works were publiſhed upon the ſame Subject, I mean, upon the Reign of *Charles* I, and a Third was compoſed at the ſame Time, though publiſhed later.

The Firſt is entitled, *The Annals of King* James *and King* Charles I. It is ſaid to be compoſed by Dr. *Franklin*, who has not thought fit to put his Name to it. He begins his *Annals* at the Year 1612, and continues them through the reſt of the Reign of *James* I; and from the Death of that Prince to the Year 1642, during the Sixteen firſt Years of the Reign of *Charles* I.

The Second, which came out in 1682, was compoſed by *John Nalſon* Doctor in Law. It is entitled, *An impartial Collection of the great Affairs of State, from the Beginning of the* Scotch *Rebellion to the Murder of King* Charles I. This Collection begins only at the Year 1639, and though probably the Author intended to carry it on to King *Charles*'s Death, as appears by the Title, he left it imperfect, and brought it no lower than the Month of *January* 164½ in Two Volumes in Folio.

The Third is, *The Hiſtory of the Rebellion and Civil Wars in* England, written by the Earl of *Clarendon*. This Hiſtory was penned before *Nalſon*'s, though it appeared not till Queen *Ann*'s Reign. It begins properly with the Parliament of *November* the 3d, 1640, the whole firſt Book being a ſort of *Introduction*, wherein the Author gives a general Account of what paſſed from the laſt Years of *James* I. to that Parliament. This Hiſtory reaches to the Reſtoration of *Charles* II in 1660.

Theſe Three laſt Works were compoſed in the Reign of *Charles* II, at a Time when that Prince had carried the Royal Authority much higher than the King his Father had ever done: At a Time when thoſe

thoſe who had been Adherents of the Long Parliament, or were of the ſame Principles, were cruelly perſecuted, and when it was more dangerous to be a *Presbyterian* than an *Atheiſt*.

I ſhall not ſpeak here of a great many leſs conſiderable Writings, which, for the moſt Part, aſcribe to the King an unlimited Power, and conſequently repreſent the laſt War of the Parliament againſt *Charles* I. as the blackeſt and moſt palpable Rebellion.

Whoever has a mind to write the Hiſtory of the Reign of *Charles* I. muſt take his Materials from ſome one of the Works I have juſt mentioned, or from all. For this Reaſon it is that I think my ſelf obliged to ſpeak a little more fully of them, to the End it may not be thought ſtrange that I have not adopted without Examination whatever they contain. Was there among the *Engliſh* ſome good neuter Hiſtorian, he would be the Perſon that ſhould be taken for Guide: but I know not any. He therefore that undertakes to write now the Hiſtory of *Charles* I, muſt endeavour to diſcover the Truth in even the moſt partial Hiſtorians, and be extremely careful to avoid the continual Snares they lay for their Readers, for the Sake of the Cauſe they maintain. One muſt know what was their Aim in writing, what Syſtem they followed, and the Artifices they made uſe of to engage in their Principles ſuch as make but few Reflections in reading a Hiſtory, and are apt to be eaſily drawn into the Prejudices of the Hiſtorian they are peruſing. I ſhall begin with *Ruſhworth*, who was the firſt Writer.

There is no Hiſtorian that can appear at firſt ſight more impartial than He that contents himſelf with furniſhing Materials for a Hiſtory, without drawing any Conſequences himſelf, and without reaſoning upon the Papers he exhibits, either for or againſt the Matters therein contained. It is however certain, that even in this he may ſhow very great Partiality; as for inſtance, in giving forged Papers, in curtailing

tailing or altering those that are true, in giving such only as may be advantageous to the Party he has a Mind to Favour. *Rushworth*, who was most certainly a Friend to the Parliament, Clerk-Assistant to the *House* of *Commons*, and Secretary to General *Fairfax*, is accused of three Things by the contrary Party. 'Tis pretended. 1. That he has given false Papers. 2. That he has curtailed others, under Colour of abridging them. 3. That he has affected to give all those that may be favourable to the Parliament, and to omit several which might serve to show the King's Innocence. 4. Lastly, That not informing us from whence he had his Stock, we have only his Authority for what he relates. This is a general Accusation, which were it well proved upon a good number of important and decisive Facts, is sufficient to shake the Credit of this Collector. The Reader will judge whether this Charge is made good with regard to the particular Cases upon which he is accused, and whether these same Cases are of such a Nature, that they ought to determine the Disinterested to make no account of his Collections. I shall take these particular Accusations from *Nalson*'s Introduction to his Book, wherein his chief Aim was to cry down *Rushworth*'s Sincerity, and perswade his Readers that they ought not to believe any Thing he advances. 'Tis very likely *Nalson* has forgot nothing upon this Occasion. I shall begin with the false Papers he accuses *Rushworth* of inserting in his Collections.

The first Paper *Rushworth* falsified, according to *Nalson*, is a Speech of King *James*'s to the Parliament the 30th of *January* 1620. Instead of giving this Speech at large, *Rushworth* inserts only an Abstract of it. And therefore *Nalson* takes Care to print the true Speech, and *Rushworth*'s Abstract in Columns, that they may be more easily compared together. He adds, that the whole Speech was communicated by *William Laud* Archbishop of *Canterbury*. Upon comparing *Rushworth*'s Abstract with

the entire Speech, one finds but a ſingle Paſſage of Moment which could give Occaſion to charge *Ruſhworth* with Unfaithfulneſs. And that is where 'tis ſaid in the Speech, *A Parliament is an Aſſembly compoſed of a Head and a Body, the Monarch is the Head, and the* three Eſtates *the Body.* Whereas it is ſaid in the Abſtract, *the Parliament is a Thing compoſed of a Head and a Body, the Monarch and the* two Eſtates. This is what obliges *Nalſon* to exclaim againſt *Ruſhworth*, for reducing by his own Authority the three Eſtates, namely, the *Lords Spiritual*, the *Lords Temporal*, and the *Commons*, to two Eſtates, meaning thereby that the *Houſe of Peers* made but one Eſtate.

This Queſtion was debated with great Warmth, when the Excluſion of the Biſhops out of the *Upper-Houſe* was in Hand. For if the Biſhops were one of the three Eſtates of Parliament, it was evident they could not be excluded without a Change in the Conſtitution. But this Opinion was not generally received. The *Commons* maintained, that the Biſhops and Peers together made but one Eſtate. *Nalſon* pretends therefore, that *Ruſhworth* to conntenance the *Commons* Opinion, and juſtify the Excluſion of the Biſhops, makes King *James* ſay what he did not. To prove this, beſides the whole Speech, communicated by the Archbiſhop of *Canterbury*, he alledges ſeveral Things to ſhow, that there have been all along three Eſtates acknowledged in the Parliament beſides the King. He anſwers to the Objection drawn from *Charles* I. owning, after the Excluſion of the Biſhops, that himſelf was one of the three Eſtates of Parliament, and concludes that *James* I. could not ſpeak in his Speech of *Two*, but of *three Eſtates.*

A ſecond Inſtance of *Ruſhworth*'s Unfaithfulneſs is, that he gives only an Abſtract of a Letter to the King from an unknown Hand, the Intent whereof was to ſhow, that the Parliament attempted againſt the King himſelf, in attacking the Duke of

Buckingham. This Charge consists wholly in the Supposition that *Rushworth* abridged this Letter on purpose to hinder his Readers from perceiving all its Force.

The Third Infidelity *Rushworth* is guilty of, is, that he has published in his Appendix a scandalous Paper, called, *A Proposition for his Majesty's Service to bridle the Impertinence of Parliaments.* 'Tis true *Rushworth* says, this Paper was questioned in the *Star-Chamber.* But *Nalson* pretends, this was not enough to excuse *Rushworth*, who he says ought to have shown upon what Grounds it was questioned, which he does himself at large.

Rushworth's Fourth Infidelity is, that he inserts in his Collections, a pretended Letter of Archbishop *Abbot*'s to *James* I, to dissuade him from granting a Toleration to the Papists, when he was upon the point of concluding the Prince his Son's Marriage with the *Spanish* Infanta. *Nalson* says upon this Subject, that the Archbishop being then out of Favour, and having nothing to do with the Management of Counsels, could have no other Foundation, but either his own Conjecture, or the common Rumour, both equally liable to deceive and to be deceived. He does not positively say however, that the Letter is a Forgery, but contents himself with insinuating so much, because *Rushworth* not having said how he came by the Letter, the Credit of it rests intirely upon his Honesty.

But the Fifth and most crying Unfaithfulness of *Rushworth*, according to *Nalson*, are the private Articles of Prince *Charles*'s Marriage with the Infanta of *Spain.* He pretends they are all a Fiction, invented on purpose to blacken the King and Prince, by intimating that their Design was to restore the *Catholick* Religion in *England*, and brings several Arguments to prove the Forgery.

1. It is not probable the King and Prince should ever engage their Word for what they knew was not in their Power to perform, considering the Strength

and Conſtitution of the *Engliſh* Laws againſt Popery, and that the *Engliſh* Nation would never be brought to comply with it. This Argument is not one of the moſt convincing.

2. The Parliament never taxed *Charles* I. with theſe private Articles, not even in the Declaration where they heaped up all the Reaſons which could juſtify their Reſolution of not preſenting any more Addreſſes to his Majeſty. This is a much ſtronger Argument than the former.

3. In the Memoirs of *Déageant* 'tis ſaid, the King of *France* hearing of King *James*'s Death, ſays to the Archbiſhop of *Amorun*, *All our hopes of* England *are loſt*. Which ſhows that *Charles* had no intention to reſtore the *Catholick* Religion. One would think *Nalſon* ſhould have forbore to alledge this Reaſon, which in clearing this Prince, caſts a great Blemiſh upon *James* I.

4. He ſays, *Ruſhworth*, by inſinuating that *Charles* I. intended to reſtore the *Catholick* Religion, contradicts himſelf, ſince he tells us in another Place, that the Prince being in *Spain*, remained ſtedfaſt in his Religion, what Endeavours ſoever were uſed to ſeduce him.

5. *Ruſhworth* gives us no other Authority for the Truth of theſe private Articles, but his own Word, and in all Appearance, the *French Mercury* is his Author.

The Sixth Infidelity *Nalſon* lays to *Ruſhworth*'s Charge, is, the Pope's Letter to the Prince when he was in *Spain*, and the Prince's Anſwer. 1. Becauſe it was a Thing of mere Ceremony. 2. In his Circumſtances it was no more than what common Prudence and Policy obliged him to, in order to get out of the King of *Spain*'s Hands. This Excuſe ſhows *Nalſon* was not thoroughly convinced of theſe Letters being a Forgery. He hints however that they might be counterfeit, by reaſon *Ruſhworth* alledges no other Authority but his own. 'Tis true he ſays the Copies of theſe Letters were preſerved by ſome who

who were then at *Madrid*, but names no Body. This made *Nalson* believe *Rushworth* took the Letters out of the *French Mercury*.

I come now to the Charge against *Nalson*, of inserting in his Collections only what was advantageous to the Parliament, omiting what made for the King. *Nalson* gives three Instances in three particular Cases.

The First is, that in the Affair of imprisoning the Members of Parliament, several of the Judges gave their Opinions, to show that the King's Conduct was not against Law. *Nalson* says *Rushworth* is contented to mention the Speeches of two Judges, namely, *Whitlock*'s and *Doderige*'s, which were in Favour of the King, and to say that *Hide* and *Jones* delivered their Opinions to the same Purpose. This Charge therefore consists in that *Rushworth*, after giving the Speeches of two of the Judges, thought not proper to insert those of the rest who were for the King upon the same Principles. But *Nalson* pretends, he should likewise have given *Hide*'s and *Jones*'s Speeches, and does it himself. Indeed *Rushworth* may be guilty of some Partiality in omitting the two last, if it be true that they are stronger and better supported than the others, of which I cannot be Judge.

The Second Case is, that *Rushworth*, speaking of Serjeant *Ashley*'s Discourse in the *House of Lords*, says he advanced the following Proposition, for which he was committed to Custody, and afterwards he recanted what he had said: *That the Lords must allow the King to govern by Acts of State, otherwise he is a King without a Council, or a Council without Power.* *Nalson* makes it a Crime in *Rushworth*, not to have given *Ashley*'s whole Discourse, which would have shown that the Serjeant's Crime was rather stemming the popular Tide than any other Offence; that is, according to *Nalson*, *Ashley* very justly maintained this Maxim, that the King must be allowed to govern by Acts of State. Such a Charge can do no great Injury to *Rushworth*.

The

The Third Caſe relates to the famous Sir *Edward Coke*, who when he was Judge, was of Opinion that if the Privy-Council commit a Man, he is not bailable by any Court of Juſtice. But afterwards, being turned out of his Office, and choſen Member of Parliament, he maintained the contrary Opinion. *Nalſon* accuſes *Ruſhworth* of concealing this Change in *Coke*, by caſtrating and abridging his Speeches, for fear his Readers ſhould perceive that *Coke*, who was odious to the Court, was ſwayed by a Motive of Revenge in maintaining an Opinion oppoſite to that he had aſſerted when Judge.

This is all that has been laid to *Ruſhworth*'s Charge. But I queſtion whether the equitable and diſintereſted will be convinced that theſe particular Accuſations ought to make him forfeit all his Credit. His Work is in eight Volumes in Folio, and contains ſo prodigious a Number of Facts, Votes, publick Speeches, and Papers of all kinds, that it would be a ſort of Miracle, to meet with nothing to criticiſe upon. Nevertheleſs all poſſible Endeavours have been uſed to diſparage him, by general Charges of Partiality, Unfaithfulneſs and Inſincerity. And it was this that led me to ſay what I have ſaid, in order to ſhow what theſe general Accuſations amounted to, when reduced to particular Caſes.

'Tis however very certain that *Ruſhworth*'s Aim and Deſign, in publiſhing his Collections, was to cry down the King's Conduct, and Favour the Parliament's Cauſe. But *Ruſhworth*'s Intention ſignifies nothing to the knowing whether a Man may ſafely make uſe of his Collections. The only Queſtion is, whether his Papers are true or falſe. If they are true, how injurious ſoever they may be to the King's Cauſe, whoever will write an impartial Hiſtory of this Reign, is not obliged to reject them for that Reaſon. This is ſo true, that even the moſt devoted Hiſtorians to *Charles* I, have not been able to avoid making uſe of theſe ſame Papers, or of taking them for granted, becauſe otherwiſe it would be impoſſible

to

to compose the History of this Reign, which is made up entirely of the Materials furnished by *Rushworth*. Had he begun his Collections no higher than with the Affairs of the Parliament of *November* the 3d 1640, the King's Friends would doubtless have readily forgiven him. But the Papers of the Twenty foregoing Years are too hard of Digestion, because they ill agree with the Scheme of the Royal Party, of which I shall speak presently, and because they too clearly discover that *Charles* I. designed to introduce Arbitrary Power, and consequently the long Parliament had very good Reason to hinder the full Execution of such a Design.

I don't see therefore any Reason why the Papers *Rushworth* has inserted in his Collections should be rejected, especially as both Parties have equally made use of them, though in a very different Manner. Some alledge them in Favour of the Parliament, whilst others bring them to support the King's Cause. But even in this, both the one and the other owned they were not only useful but absolutely necessary too. If there are some Passages that are combated as forged, they are very few in Number, and 'tis strange that after so many Exclamations against *Rushworth*'s Concealments and Omissions, we find in the Writings of the King's Favourers, so few Papers of Moment that are not in his Collections.

I proceed now to those who writ in Vindication of the King's Cause, as *Franklin*, *Nalson*, and the Earl of *Clarendon*, omiting the other Authors of less note, to avoid being tedious.

These in compiling the History of this Reign, have formed two Schemes directly contrary to those of the Friends of the Parliament, though they have made use of *Rushworth*'s Materials. As these Books were composed at a time when the Regal Authority was at a greater Height than ever, they have not scrupled to build upon the Plan of the King's having an absolute Power. Though they use not the Word, there is hardly a Page in their Writings where this Principle

Principle is not maintained or ſuppoſed. From hence it follows, that on the Parliament's Side, the Civil War was a manifeſt Rebellion. So the Proceedings of the Parliament which ſome repreſent as abſolutely neceſſary for the Preſervation of the Government, are accounted by others as Rebellions and Treaſons, and tending to the Subverſion of the Conſtitution of the State without being obliged to deny the Facts.

The ſecond Scheme of the King's Party is no leſs contrary to that of the Favourers of the Parliament. Theſe laſt pretend that the Parliament being ſufficiently convinced by undeniable Proofs, of the King's Deſign to bring in Arbitrary Power, and alter the Conſtitution of the Government, thought themſelves obliged to uſe their utmoſt Endeavours to prevent the Execution of this Project. This was the Scheme. The King's Friends formed a quite different one. They call the King's pretended Efforts to eſtabliſh an Arbitrary Government, an idle Fancy, affirming what was termed abſolute Power, was preciſely what the Laws allowed the King. Indeed this was the Principle of *James* I. *Charles* I. *Charles* II, and *James* II. conſequently, they pretended that to hinder the King from exerciſing ſuch a Power, was oppoſing the Laws of the Land. But as it evidently appeared in the Reign of *Charles* I. that the Parliament and People were not of this Opinion, it was neceſſary to give ſome plauſible Grounds of the Troubles cauſed by this Diſpute in the ſame Reign. To that purpoſe, they have laid down a Scheme, which with the Principle of the King's abſolute Power, is the Baſis and Foundation of whatever they have writ. And that is, the Oppoſition King *Charles* met with proceeded not from the People's Belief that the King had gone beyond the Bounds of his Power, but from a Project formed long ſince, to alter the Conſtitution of the Church. That the *Presbyterians*, Authors of this Project, knowing the King's Stedfaſtneſs upon that Head, judged there was no other way to put it in Execution, but by ruining

ruining the King, and ſtripping him of his Prerogatives. That to arrive at this Point, they inſtilled into the reſt of the Parliament and Nation, groundleſs Suſpicions and Jealouſies, which they took Care to cheriſh by all imaginable means, till they came at length to an entire Breach, and to a War which proved ſo fatal to the King, and gave them Opportunity to eſtabliſh *Presbyterianiſm* on the Ruins of the *Church* of *England*.

The Fault in theſe two Schemes is, that neither contains the whole Truth. The Parliament's Scheme aſcribes all the Proceedings of both *Houſes* ſolely to the Deſign of redreſſing paſt *Grievances*, and preventing the ſetting up an Arbitrary Government. 'Tis however certain, that ſeveral Members of the two *Houſes* joined with that Deſign, the Intent of altering the Government of the Church, which could not be done but by the Ruin of the King. The Scheme of the Royaliſts has the ſame Fault, in that they impute to the Parliament but one ſingle View, namely, to alter the Government of the Church, and making light of the Deſign to prevent the introducing of abſolute Power, they pretended it was only a Contrivance or Pretenſe, to come with the greater eaſe to the main End, which was to eſtabliſh *Presbyterianiſm*.

After having thus ſhown theſe two different Schemes, I think it needleſs to explain particularly in what manner *Franklin*, *Nalſon*, and the Earl of *Clarendon*, apply theirs to the Facts agreed on by all the World. I ſhall content my ſelf with obſerving that they omit no occaſion to combat the Principles of the Parliament, or to impute to them Motives altogether different from thoſe they pretended to act by. Herein their Aim was to hinder their Readers from being prepoſſeſſed with a belief, that the Parliament had the Good of their Country at Heart, or acted with any other Views than thoſe they aſcribed to them.

'Tis

It is eaſy to perceive by what has been ſaid, how the Hiſtorians of the Reign of *Charles* I. may be different, nay contrary, according as the Authors have followed one or other of theſe two Schemes, without ever ſwerving from the ſame. And this is what has actually happened. The Hiſtories of the two Parties, though built upon the ſame Facts, are ſo oppoſite to one another, that a Reader, who is not very attentive, or wants leiſure to examine what is propoſed to him, knows not where he is, when he ſees this Oppoſition.

For my part, who am not engaged in either of the Parties, and aim only at Truth, I don't think my ſelf obliged blindly to follow one or other of the two Schemes; but have laid down one compoſed of both, by adding to them what they want. I leave it to the Readers to judge, whether it hangs well enough together to give them a diſtinct Knowledge of the Affairs of this Reign. If I ſometimes ſeem to incline to one Side, it is becauſe I have no reaſon to go from the Truth, and am perſuaded that the King and Parliament were both very much in the Wrong, though not always nor on the ſame Occaſions.

This has induced me to cite throughout the Hiſtory of this Reign ſcarce any other Author but *Ruſhworth*, though no Reign has more Writers. My reaſon was, becauſe *Ruſhworth* has formed no Scheme, but contented himſelf with furniſhing Materials common to both Parties, and of which both have made great uſe. But though I have carefully read and made Collections out of the Works of *Franklin*, *Nalſon*, and the Earl of *Clarendon*, I did not think my ſelf obliged to quote them, becauſe they let no Fact, no Paper paſs without applying their Scheme to it, which is not always agreeable to mine. It would therefore be very perplexing to the Reader to quote, in Proof of what I advance, Facts or Papers that are always followed with Reaſonings often directly contrary to my Scheme. I thought proper to ſay thus much in my Juſtification, concerning the Manner

Manner in which I have compoſed the Hiſtory of this Reign. *

* It does not appear that *Rapin* ever ſaw *Whitlock's Memorials*, of which, doubtleſs, he would have made great uſe, ſince they contain many Things that never would have come to light, at leaſt, not without ſome Preparation and Adjuſtment. For as the Author never intended his Work for the Publick, nor meant otherwiſe by it, than as a Book for his Memory and private Uſe, he had not any Temptations to prevaricate, nor can be well ſuſpected of a Deſign to repreſent Things otherwiſe than faithfully to himſelf. All is naked here, and the Party more likely to ſuffer by the Truth, than the Truth to have any Violence in favour of a Party. His Book is entitled, *Memorials of the* Engliſh *Affairs, or an Hiſtorical Account of what paſſed from the Beginning of the Reign of* Charles I. *to King* Charles II's *happy Reſtoration, containing the publick Tranſactions Civil and Military, together with the private Conſultations and Secrets of the Cabinet.* It is writ by way of Diary, though ſo much was the Author upon the Stage during all the Time of Action, that the Particulars of his Diary go very far towards a perfect Hiſtory of thoſe Times. The Tranſlator deſigns to take from thence many uſeful Notes.

THE

THE HISTORY of *ENGLAND.*

BOOK XX.

The Second Part of the REIGN *of* CHARLES I.

THE King's Affairs were in a very ill Situation when the Parliament met. Instead of having subdued the *Scots*, as he had flattered himself, he had the Mortification to see them enter *England*, force the Passage of the *Tine*, defeat a considerable Body of his Army, and render themselves Masters of *Newcastle*. Moreover, he saw his own Troops not very forward to serve him. They consisted, for the most Part, of Soldiers listed against their Wills, in the several Counties, and prejudiced, like

1640. Nov. 3. *State of the King's Affairs.*

1640. like the rest of the Nation, against the Government. Besides, the Valour of the *Scots* being magnified by those who had been routed, and by the King's private Enemies, inspired the *English* Troops with some Terror. To this may be added, that the King wanted Money to pay them. He had nothing to depend upon but the Two Hundred Thousand Pounds borrowed of the City of *London*, till it should please the Parliament to furnish him with a Supply answerable to his Occasions. But he could hardly expect that the Parliament would be favourable to him. All the World was persuaded, he had called it against his Inclination, and because he could find no other way to get out of the Straits he had run himself into. What had passed in the Four Parliaments held since the Beginning of his Reign, the Dissolutions of these same Parliaments with Heat and Animosity, the Imprisonment of their Members, the Discontinuance of Parliaments for Twelve Years, the Taxes imposed by the King's sole Authority during that space, the Monopolies upon all sorts of Goods and Wares, the Decay of Trade, the open Protection granted by the King to the *Papists* and *Arminians*, the Severities exercised upon the *Presbyterians*, the Innovations in Religion, the almost universal Suspicion of a Design to introduce Popery, the excessive Authority usurped by the Council and *Star-Chamber*, the Corruption of the Judges, in a word, the Principles of Arbitrary Power asserted by the Court, bred an universal Discontent. The King was not ignorant of it, and till now had given himself no trouble about it. But he began to dread the Consequences of it, when he saw himself upon the Point of being exposed to the ill Humour of a new Parliament, who, probably, would not lose the Opportunity of labouring the Redress of *Grievances*, which the former Parliaments had in vain demanded. Nevertheless, he was so prejudiced and exasperated against the *Scots*, that he still flattered himself with

the

the Hopes the new Parliament would look upon their entring *England* as an Invaſion, as a War made, not upon the King but the Kingdom, and would furniſh him with Means to drive them back into their Country, and chaſtiſe their Audaciouſneſs. But it was not long before he perceived his Hopes were ill-grounded. 1640.

The Parliament met on the 3d of *November*, according to the King's Writs. There had never been a fuller Appearance, very few Members being abſent. Every one looked upon this as the faireſt Opportunity that could poſſibly offer, to cure the Evils of the Kingdom; and all the Members, except ſuch as were entirely devoted to the King, were ready to contribute to the reſtoring the Government, according to its true and antient Conſtitution. This likewiſe was what the People expected. On the firſt Day, the King made the following Speech to both *Houſes*. *The Parliament meets.* Clarend. I. p. 169. Ibid. 171.

My LORDS,

"THE Knowledge I had of the Deſires of my *Scotiſh* Subjects, was the Cauſe of my calling the laſt Aſſembly of Parliament: wherein had I been believed, I ſincerely think that things had not fallen out as now we ſee. But it is no wonder, that Men are ſo ſlow to believe that ſo great a Sedition ſhould be raiſed on ſo little Ground. But now, my Lords and Gentlemen, the Honour and Safety of this Kingdom lying ſo near at the Stake, I am reſolved to put my ſelf freely and clearly on the Love and Affection of my *Engliſh* Subjects, as theſe of my Lords that did wait on me at *York*, very well remember I there declared. *The King's Speech at the opening of the Parliament.* Ruſh. IV. p. 11. Nalſon I. p. 481.

"Therefore, my Lords, I ſhall not mention my own Intereſt, or that Support I might juſtly expect from you, till the common Safety be ſecured; though I muſt tell you, I am not aſhamed to ſay, thoſe Charges I have been at have been merely for the Security and Good of this Kingdom; though

1640. " the Succeſs hath not been anſwerable to my De-
" ſires: Therefore I ſhall only deſire you to conſi-
" der the beſt way both for the Safety and Security
" of this Kingdom; wherein there are two Parts
" chiefly conſiderable. Firſt, The chaſtiſing out of
" *Rebels*: And Secondly, That other, in ſatiſ-
" fying your juſt Grievances, wherein I ſhall pro-
" miſe you to concur ſo heartily and clearly with
" you, that all the World may ſee my Intentions
" have ever been and ſhall be to make this a glori-
" ous and flouriſhing Kingdom. There are only
" two things that I ſhall mention to you: Firſt, The
" one is to tell you, that the Loan of Money which
" I lately had from the City of *London*, wherein
" the Lords that waited on me at *York* aſſiſted me,
" will only maintain my Army for two Months,
" from the beginning of that Time it was granted.
" Now, my Lords and Gentlemen, I leave it to your
" Conſiderations, what Diſhonour and Miſchief it
" might be, in caſe for want of Money my Army
" be disbanded before the Rebels be put out of this
" Kingdom. Secondly, The ſecuring the Calamities
" the northern People endure at this time, and ſo
" long as the Treaty is on Foot: And in this I
" may ſay, not only they, but all this Kingdom will
" ſuffer the Harm: Therefore I leave this alſo to
" your Conſiderations, for the ordering theſe great
" Affairs, whereof you are to treat at this Time. I
" am ſo confident of your Love to me, and that
" your Care is for the Honour and Safety of the
" Kingdom, that I ſhall freely and willingly leave it
" to you where to begin. Only this, that you may
" the better know the State of all the Affairs, I have
" commanded my Lord-Keeper to give you a ſhort
" and free Account of theſe Things that have hap-
" pened in this Interim, with this Proteſtation,
" That if this Account be not ſatisfactory as it ought
" to be, I ſhall, whenſoever you deſire, give you a
" full and perfect Account of every particular.
" One thing more I deſire of you, as one of the

" greateſt Means to make this a happy Parliament, 1640.
" That you on your Parts, as I on mine, lay aſide
" all Suſpicion of one another, as I promiſed my
" Lords at *York*; it ſhall not be my fault, if this
" be not a good and happy Parliament.

The Lord-Keeper's Speech to the Parliament. Ruſh. IV. 12. Nalſon I. p 482.

After the King had done ſpeaking, the Lord-Keeper *Finch* made his Speach. He began with Encomiums of the King and Queen, and then endeavoured to perſuade the two *Houſes*, that the calling of the Parliament was wholly owing to his Majeſty, who had taken the Reſolution before he received any *Petition* on that Subject (*a*). After that, he ſtrove to ſhow, though in a very general Manner, that the *Scots* had violated the late Treaty, and that the King, againſt his Will, had taken Arms by the unanimous Advice of his Council, to reduce them to Obedience. He concluded with informing both Houſes of what had paſſed as well in the beginning of the War as in the Conferences at *Rippon*.

Lenthall *choſen Speaker.*

The *Commons* being returned to their Houſe, choſe for Speaker *William Lenthall* a Bencher of *Lincolns-Inn*, who was propoſed by Sir *Henry Vane* Secretary of State *.

The Commons ſettle ſeveral Committees. Ruſh. IV. p. 171. Clarend. p. 171.

This Choice being accepted by the King, they appointed, according to Cuſtom, a Committee to examine all Queſtions that might ariſe about Elections, Returns, or other Privileges of the Houſe. Then it was reſolved that a Committee of the whole Houſe ſhould meet on certain Days of the Week to debate Matters relating to theſe five prin-

(*a*) And yet the Lord *Clarendon* aſcribes the calling the Parliament to the Advice of the great Council of *Peers* at *York*.

* The Lord *Clarendon* ſays, the King deſigned Sir *Thomas Gardiner*, Recorder of *London*, to be Speaker. But he could not get himſelf elected for *London* nor any other *Burrough*. And no wonder, if it be true as *Whitlock* ſays, that ſuch a Spirit of Oppoſition to the Court Proceedings was in the Hearts and Actions of moſt of the People, that very few of that Party had the Favour to be choſen Members of this Parliament. *Clarend.* I. 169. *Whitlock*, p. 35.

1640. cipal Heads, *Religion*, *Grievances*, *Courts of Juſtice*, *Trade*, and *Ireland*. Theſe were the Points that were the chief Cauſes of the Nation's Complaints and Murmurs; and by that, the *Commons* ſhowed plainly enough, what they intended to ſet about.

As from the 3d of *November* 1640, to the 25th of *Auguſt* 1642, the Hiſtory of this Reign wholly conſiſts of the Tranſactions in Parliament, I think it neceſſary before all Things to make known this ſame Parliament, and the different Parties it was divided into. After which, it will be eaſier to perceive the Motives of its Acts and Reſolves, and withal, the true Grounds of the Civil War that afflicted *England*.

Diſpoſition of the Parliament with reſpect to Grievances. Clarend. I. p. 171.

Firſt, It is certain there was hardly a Member of either *Houſe* but what was diſpoſed to procure the Redreſs of the *Grievances* ſo long complained of. Theſe Grievances were ſo manifeſt, that it was almoſt impoſſible, without ſubverting the Conſtitution of the Government, to find plauſible Reaſons to juſtify the King's and the Miniſtry's Conduct, during the Fifteen foregoing Years. They were of ſuch a Nature, that no Perſon was free from them, not even thoſe who ſerved for Inſtruments to lay them upon the People, though they were made amends in great meaſure ſome other way. In ſhort, they were of ſuch Conſequence, that admitting the Principles whereon they were founded, the neceſſary Reſult was a total Subverſion of the Government, and an arbitrary Power unknown to the *Engliſh* for many Ages. It may therefore be affirmed, that from the very beginning of this Parliament, the general Sentiment of both *Houſes* was, that the preſent Opportunity of applying proper Remedies to the Evils of the Kingdom ſhould not be let ſlip.

But the Members were divided about a main Point, which was however an Appendix of the general Diſpoſition. Some were of Opinion, that after all the Grievances were redreſſed, the Government ſhould be reſtored to its natural State, ſuch as it was

before the Reigns of *James* and *Charles*, and that there was no neceſſity of making any Additions or Alterations. Others, on the contrary, thought, that after the Redreſs of Grievances it would be neceſſary to uſe ſome effectual Method, to put it out of the King's Power ever to invade again the Liberties of the People, and the Privileges of the Parliament. But theſe Men carefully concealed their Thoughts, leaſt they ſhould give occaſion to the others to ſuſpect that there was a Deſign to alter the eſtabliſhed Government, and ſo cauſe them to oppoſe even the moſt reaſonable Things, out of fear of the Conſequences. They hoped to find or to ſtart in time Opportunities enough to inſpire the whole Nation with a Diſtruſt of the King, and by that means to accompliſh their Ends. 1640.

Such being the general Diſpoſition of the Parliament, it is evident they ought to conſider the Entrance of the *Scots* into *England* as a very conſiderable Advantage, put into the Hands of the *Engliſh* by Providence, to hinder the King from being able to break the Meaſures which might be taken againſt him. The King was under an abſolute Neceſſity to keep up an Army for his Defence againſt the *Scots*, without having for that purpoſe other means than the Aſſiſtance of the Parliament. For the Times being changed, the impoſing of arbitrary Taxes could not be practiſed any longer, upon which, in all likelihood, he had depended in the Beginning of the War, ſince in a Month after his taking the Field, he had no Money to pay his Troops. So it was the Parliament's Intereſt to keep the King thus low, that he might not be able to oppoſe the Reſolutions which ſhould be taken by the two *Houſes*. It is not therefore to be thought ſtrange, that the Parliament did not much attend to what the King moſt deſired, namely, to be enabled to chace the *Scots* out of the Kingdom, ſince, on the contrary, the Preſence of the *Scots* gave the two *Houſes* a Superiority they did not care to loſe.

1640. *With respect to Religion.*

The Opinions were alſo much divided in the Parliament with reſpect to Religion. There were in the *Houſes* rigid *Epiſcopalians*, who believed *Biſhops* to be eſſential to Religion, and that without them there was no lawful *Ordination*, nor conſequently any valid Adminiſtration of the *Sacraments*. Of this Number were the Biſhops and the King's Party in the two *Houſes*, almoſt to a Man. There were moderate *Epiſcopalians*, who being ſincerely attached to the Church of *England*, had however ſomewhat different Notions about Epiſcopacy. They had a Veneration for Epiſcopal Government, as being very antient in the Church, and what they liked beſt. But though they had no deſign to alter it, they believed however it was not ſo abſolutely neceſſary but that Religion might well ſubſiſt under another kind of Government. This was the prevailing Opinion, and eſpouſed by a Majority in both *Houſes*. Wherefore one may venture to ſay, that in the Beginning of this Parliament, the Members in general had no Intention to ſtrike at the Government of the Church, eſtabliſhed in *England* after the Reformation.

But there was in the two *Houſes* another Party more powerful by the Ability of their Leaders than by their Number. I mean that of the *Presbyterians*, who were divided alſo into *moderate* and *rigid*. The Former had no other view but to obtain ſome Liberty and Security againſt Perſecution. The Latter were of another Stamp. They conſidered Epiſcopal Government as repugnant to the Word of God, and the Juriſdiction of the Biſhops as a real Tyranny. Theſe were the particular Objects of the Hatred of the King, Miniſtry, Biſhops, and the greateſt Part of the *Clergy*, becauſe their Principles tended to the utter Deſtruction of the Church of *England*. For that reaſon they believed there was no Safety for them but in an entire Change of *Epiſcopal* into *Presbyterian* Government. But they eaſily perceived that to attain their Ends, the King muſt be diſabled from oppoſing them, well knowing that as long as it was in

in his Power, he would never conſent to this Change. 1640.
Their Number was however ſo inconſiderable, that they would have made no Figure in the Parliament, had they not been ſupported by the *Scots*, without whoſe Aid nothing was to be done. Moreover, among theſe rigid *Presbyterians*, lay concealed a certain Set of Men known afterwards by the Name of *Independents*, who held concerning *Civil* as well as *Eccleſiaſtical* Government, uncommon Opinions, which they took care not to explain fully, till they found Occaſion to publiſh them to the World. They were contented for ſome Years to conceal themſelves among the rigid Presbyterians, that they might ſtrike the ſurer at a proper Seaſon. It was the particular Intereſt of theſe Men to manage ſo, that the Government of the State might be changed, or rather overthrown, well knowing their Party could never ſubſiſt but in Anarchy. And therefore, without diſcovering their Intentions, they improved all Occaſions to ſow and cheriſh Diſcord between the King and Parliament. The whole Presbyterian Party was directed by the Heads of the rigid Presbyterians and Independents, Men of great Parts, who without diſcovering themſelves any more than was neceſſary, ſeemed to confine their Deſigns to the Redreſs of Grievances, which was the general Aim of the Parliament, and wherein almoſt all were unanimous. They found a double Advantage in this Conduct. Firſt, they hereby removed all Suſpicion of their intending to change the Government of Church or State, and withal prevented an Union between the reſt of the Members, who would not have failed to join in oppoſing ſuch a Change. The ſecond Advantage was that by being wholly intent at firſt upon the Redreſs of Grievances, they had frequent Occaſions of exclaiming againſt the King's former Adminiſtration, and fomenting the Parliament's Diſtruſt and Jealouſy on his account. For it was by that chiefly they hoped to be able to bring about their Projects.

This

1640. This being the Temper and Conſtitution of the Parliament, 'tis eaſy to ſee the Reaſon why the *Commons* were ſo intent at firſt upon the Redreſs of Grievances, as well Publick as Private. A vaſt Number of *Petitions* upon that Subject were preſented to them in a few Days after their Meeting. Many Members were likewiſe charged with the like *Petitions* from their Burroughs and Shires, and ſeveral very mortifying Speeches to the King and his Miniſters were made in the Houſe *. Of all theſe Speeches I ſhall inſert only one, which ſums up all the publick Grievances the People thought they had reaſon to complain of. It is that of Mr. *Pym*, Member for *Taviſtock* in the County of *Devon* *1.

Mr. Speaker,

Pym's *Speech about Grievances.* Ruſh. IV. *p.* 21.

" TO redreſs Grievances will not hinder, but " further the Service of the King: To take a- " way the Weights, does as much advantage Motion, " as to add Wings.

" I ſhall firſt inſtance ſeveral Heads of thoſe Grie- " vances we labour under. 2. Demonſtrate them to " be as hurtful to the King, as to the People. 3. " That the Remedies will prove equally good to " both of them.

" The

* *Arthur Capel*, (afterwards Lord *Capel*,) preſented a Petition for *Hertfordſhire*, Sir *John Packington* for *Worceſterſhire*, Sir *John Culpepper* for *Kent*, Sir *Philip Muſgrave* for *Weſtmoreland*, Sir *Francis Seymour* for *Wilts*, (theſe turned afterwards for the King) *Henry Bellaſis* and *Ferdinando Fairfax* for *Yorkſhire*, Sir *John Wray* for *Lincolnſhire*, Sir *Edmund Mountford* for *Norfolk*, Sir *Thomas Barrington* for *Eſſex*, *William Pierpoint* for *Shropſhire*. Ruſh. IV. p. 21.

*1 The Author by miſtake has inſerted in his Hiſtory Mr. *Pym*'s Speech which he ſpoke the 17th of *April*, in the laſt Parliament, and of which mention is made in Vol. X. p. 411. I have therefore taken the true Speech inſtead of it, as it is found in *Ruſh.* IV. p. 21.

1640.

" The King can do no Wrong; The Law caſts
" all Miſcarriages upon the *Miniſters*: Thus the In-
" fluence of Heaven conveyeth Vigour into ſublu-
" nary Creatures; but the Malignity of all Epide-
" mical Diſeaſes proceedeth from the ill-affected
" Qualities of the Earth or Air.

" There are a Threefold ſort of Grievances:
" 1. Some againſt the Privilege of Parliament. 2.
" Others to the prejudice of Religion. 3. Some a-
" gainſt the Liberty of the Subject. For the firſt,
" The Members are free from Arreſts; to have Li-
" berty of Speech; a *Legiſlative*, *Judiciary*, and *Conci-*
" *liary Power*; being the ſame to the Body Politick,
" as the Faculties of the Soul is to a Man.

" Theſe Privileges have been broken: Firſt, in
" reſtraining the Members from ſpeaking. 2. In
" forbidding the Speaker to put a Queſtion: Both
" of theſe practiſed in the laſt Parliament. 3. By
" Impriſoning divers Members for Matters done in
" Parliament. 4. By Proceedings againſt them for
" the ſame in the inferior Courts. 5. Enjoyning
" them to give Security for their good Behaviour,
" and continuing them in Priſon, even to the Death.
" 6. In abrupt Diſſolutions of Parliament: the great
" Grievance; like the Execution of a Man, with-
" out being heard; It receives a Being by the Sum-
" mons, and a Civil Death by Diſſolution; not only
" thereby to dye, but to be made *Inteſtabiles*, un-
" capable of making their *Wills*, the good Acts that
" they were about.

" The Second is, Encouragement of Popery:
" Firſt, By *Suſpenſion* of Laws againſt them: Now
" 'tis certain, there can be no Security from Papiſts,
" but in their Diſability; their Principles are in-
" compatible with any other Religion; Laws will
" not reſtrain them, nor *Oaths*; for the Pope diſ-
" penſeth with both; and his Command acts them
" againſt the Realm in Spirituals and Temporals in
" *Ordine ad Spiritualia*, *Henry* the Third, and *Henry*
" the Fourth of *France*, were no Proteſtants, yet

" were

1640. " were murthered becauſe they tolerated Reforma-
" tion. 2. By allowing them Places of Truſt and
" Honour in the Commonwealth. 3. Their free re-
" ſort to *London*, and to the Court; to communi-
" cate their Counſels and Deſigns, diving into the
" Secrets of State. 4. That as they have a Congre-
" gation of Cardinals at *Rome*, for advancing the
" Pope's Authority in *England*; ſo have they a *Nun-
" cio* here for the Execution thereof.

" Then as to *Innovations* of Religion introduced:
" Firſt, Maintenance of *Popiſh Tenets*, in Books,
" Sermons, and Diſputations. 2. Practice of *Po-
" piſh Ceremonies* countenanced and enjoined, as Al-
" tars, *Images*, Crucifixes, Bowings, *&c.* Theſe I
" may in ſome reſpect compare to the *dry Bones* in
" *Ezekiel*; which firſt came together, then *Sinews
" and Fleſh* came upon them, afterwards the *Skin* co-
" vered them, and then *Breath* and *Life* was put in-
" to them; ſo firſt the *Form*, then the *Spirit* and
" *Life* of Popery was to come amongſt us. 3. Pre-
" ferment of Perſons popiſhly affected. 4. The
" Diſcouragement of Proteſtants by over-rigid Pro-
" ſecutions of the ſcrupulous for Things indifferent:
" No Vice made ſo great as *Inconformity*; by puniſh-
" ing without Law, for not reading the Book for
" *Sundays Recreations*; for not removing the Com-
" munion-Table otherwiſe; for not coming to the
" *Rails* to receive the Communion; for Preaching
" on the Lord's Day in the Afternoon; for *Catechi-
" ſing* otherwiſe than as in the ſhort *Catechiſm* in the
" Common-Prayer-Book. 5. By Incroachment of
" Eccleſiaſtical Juriſdiction; particularly, 1. In
" *Fining* and Impriſoning without Law. 2. Chal-
" lenging their Juriſdiction to be appropriated to
" their Order *Jure Divino*. 3. Contriving and Pub-
" liſhing new Articles of Viſitation, new Canons;
" and the boldneſs of Biſhops, and their ſubordinate
" Officers and Officials.

" As

" As to the third ſort of Grievances, I ſhall ob- 1640.
" ſerve rather the Order of Time when they were
" acted, than the Conſequence; but when we come
" to the *Cure*, it will be but to begin with the moſt
" important.

" There is firſt, *Tunnage and Poundage*, and the
" late new Books of Rates taken by Prerogative,
" without Grant of Parliament; from whence theſe
" Inconveniences follow: 1. Men's Goods are ſeized,
" their Suits ſtopt. 2. Miſemployment of the Sums
" of Money impoſed; for though intended for the
" *Guard of the Seas*, they are diſpoſed to other Uſes,
" and a new Tax raiſed for the ſame Purpoſe. 3.
" The Burthen exceſſive, Trade hindered, Home
" Commodities abaſed, and Foreign Inhanſed; by
" which Means the Stock of the Kingdom is dimi-
" niſhed, eſpecially Inſupportable to the poor Plan-
" ters in *America*, by the Tax upon Tobacco.

" There is *Compoſition for Knighthood*; which
" though it refers to a former Cuſtom, yet upon the
" ſame Grounds, the King may renew it by a new
" Fine; immoderate Multiplications of Diſtreſs and
" Iſſues, and enforce them to compound with the Com-
" miſſioners. An Inundation of *Monopolies* under-
" taken by Papiſts, and full of Miſchief. 1ſt. By
" impairing the Goodneſs, and inhanſing the Price
" of *Salt*, *Soap*, *Beer*, *Coals*, &c. 2dly, under Co-
" lour of which, Trade was reſtrained to a few
" Hands. 3dly, Many Perſons thereupon illegally
" impriſoned.

" But the great and unparallell'd Grievance is the
" *Ship-Money*, being aggravated, not ſupported by
" the Judgment, which is not grounded upon Law,
" Cuſtom, Precedent or Authority: It being impro-
" per for a Caſe of Neceſſity; and abounding in
" Variety of Miſchief. As 1ſt, The general Extent
" to all Perſons, all Times, and the Subject leſs re-
" medileſs. 2dly, The Arbitrary Proportion with-
" out Limits. 3dly, Impoſed by Writ, and diſpoſed
" by Inſtructions. Improper, for the Office of a

" Sheriff

1640. " Sheriff in the Inland Counties, and inconvenient " for the Inhabitants; without Rule or ſuitable " Means for the levying or managing of it.

" The Enlargements of *Foreſts* beyond the Bounds " of the Statutes, 27 and 28 *Edw.* 1. which Perambu- " lations then were the Cauſe of that famous *Charta* " *de Foreſta*; And now reviving theſe old Queſtions, " new Diſtempers may follow, and particular Obli- " quities we may already obſerve, and ſurreptitious " Proceedings, as in *Eſſex*; yet that Verdict was en- " forced in other Counties, and a Judgment upon " the Matter after three or four Hundred Years " quiet Poſſeſſion of the Subject, who thereupon is " forced to compound for great Fines.

" The ſelling of *Nuſance*: The King as a Father " of the Commonwealth, is to take Care of the " Publick Commodities and Advantages of the Sub- " jects, as Rivers, Highways, and Common-Sewers, " by ordinary Writs, *Ad quod Damnum*: But now " by a Courſe Extrajudicial, by inforcing Compo- " ſitions; ſo then, if really it be a Nuſance that is " compounded for, 'tis an hurt to the People; if no " *Nuſance*, then 'tis a grand Prejudice to the Party.

" The Commiſſion for *Buildings* about *London*, " was preſented as a Grievance in the time of King " *James*; now much more increaſed, and much " more prejudicial.

" The Commiſſion for *Depopulations* began ſome " few Years ſince; by both theſe Commiſſions, the " Subject is reſtrained from diſpoſing of his own; " demoliſhing their Houſes, puniſhing and fining " their Perſons for that, for which they are ſtill lia- " ble by Law; for the King cannot Licence a Nu- " ſance; and though theſe are not Nuſances, yet it " is of ill Conſequence to be compounded for, and " may make a Precedent for Kings to Licence ſuch " Things as are Nuſances indeed.

" Military Charges ought not to be laid upon the " People by Warrant of the King's Hand, nor by " Letters of the Council-Table, nor by order of the

" Lords

" Lords Lieutenants of Counties, nor their Deputies. 1640.
" It began to be practiſed as a Loan for Supply of
" *Coat and Conduct Money* in Queen *Elizabeth*'s Time,
" with promiſe to be re-paid it, as appears by a
" *Conſtat* Warrant in the *Exchequer*, and certain Pay-
" ments : But now-a-days never re-paid. The firſt
" Particular brought into a Tax was, the *Muſter-*
" *Maſter's Wages*; which being but for a ſmall Sum,
" was generally digeſted : Yet in the laſt Parlia-
" ment, it was deſigned to be remedied. But now
" there follows *Preſſing* of Men againſt their Wills,
" or to find others. 2dly, Proviſions for publick
" Magazines for Powder, Spades, and Pickaxes.
" 3dly, Salary of Officers, Cart-Horſes, Carts, and
" ſuch like.

" The Extrajudicial Declarations of Judges with-
" out hearing of Council or Argument : A teeming
" Grievance, productive of many others.

" Monopolies countenanced by the Council-Ta-
" ble, and the Clauſe in their Patents of Monopo-
" lies, commanding the Juſtices of Peace to aſſiſt
" them ; whereby the great Abilities of that ho-
" nourable Board, receive a Stain by ſuch Matters
" of ſo mean a Report in the Eſtimation of the Law,
" ſo ill in the Apprehenſion of the People.

" The High-Court of *Star-Chamber*, called in the
" Parliament Rolls *Magnum Concilium*, to which the
" Parliaments were wont to refer ſuch Matters as
" they had not Time to determine : A Court erect-
" ed againſt Oppreſſion, a Court of Councils, and
" a Court of Juſtice, now an Inſtrument of erecting
" and defending Monopolies, to ſet a Face of pub-
" lick Good to Things pernicious.

" That great and moſt eminent Power of the
" King in *Edicts* and Proclamations, called *Legis*
" *Temporis*, uſed heretofore to encounter with ſud-
" den and unexpected Danger, till the *Great Council*
" of the King could be called, hath of late been ex-
" erciſed for injoining and maintaining Monopolies.
" But the laſt and greateſt Grievance leads us a Step
" higher,

1640. " higher, even as high as Heaven, as the Throne of " God, his Word and Truth. The ambitious and " corrupt Clergy, *Preaching* down the Laws of God, " and *Liberties* of the Kingdom; pretending Di- " vine Authority and absolute Power in the King, " *to do what he will* with us; and this Preaching is " the High-way to Preferment; as one *Manwaring* " sentenced in the former Parliament for this Doc- " trine, then a Doctor, is now become a Bishop. The " Intermission of Parliaments contrary to the Statute, " whereby they were to be called *once a Year*, is the " main Cause of all these and other Mischiefs, to " which Parliaments give Remedy.

" These Grievances are as well hurtful to the King " as to the Subjects, by interrupting their Commu- " nion; they have need of his general Pardon, and " to be secured from *Projectors* and *Informers*; to be " freed from obsolete Laws, and from the subtle " Devices of such who seek to strain the Preroga- " tive to their own private Advantage, and the Pub- " lick Hurt; and the King hath need of them for " *Counsel*, for Support. Queen *Elizabeth*'s victori- " ous Attempts, were for the most part carried on " upon the Subject's Purses, and not upon her own; " though the Honour and Profit were hers. These " Discontents at home diminish the King's *Reputa-* " *tion* abroad; and disadvantage his Treaties, and " weaken his Party beyond Sea, by encouraging *Po-* " *pery*; by forcing the Subjects to leave the King- " dom, to the Prejudice of the King's Customs and " Subsidies. As for Instance, divers *Clothiers* forced " away, who set up their Manufacture abroad to " the hurt of the Kingdom.

" The King hath received upon the Monopoly of " *Wines*, *Thirty Thousand Pounds per Ann.* The Vint- " ner pays forty Shillings *per* Tun, which comes to " Ninety Thousand Pounds; the Price upon the Sub- " ject by Retail is increased Two-pence a Quart, " which comes to eight Pounds a Tun, and so forty " five Thousand Tun brought in Yearly, amounts

" to

" to *Three Hundred Sixty Thouſand Pounds*; which 1640.
" is three Hundred and thirty Thouſand Pounds leſs
" to the Kingdom, above the King's Receipt.

" Now the Remedies, and removing theſe Grie-
" vances, conſiſt of two main Branches, in *declaring*
" *the Law* where 'tis doubtful, and in providing for
" the Execution of the Law where it is *clear*. But
" theſe I refer to a further time, and for the pre-
" ſent adviſe ſpeedily to deſire a Conference with
" the Lords touching *Grievances*; and always to
" humble our ſelves for God's Aſſiſtance.

As Mr. *Pym*, who ſpoke this Speech, was one of the leading-Men in the *Houſe* of *Commons*, he was extremely applauded, and the more that in giving a Summary of all the publick Grievances, he had forbore to uſe any diſreſpectful Terms againſt the King or his Miniſters. This Speech was followed with another by Sir *Benjamin Rudyard*, who to intimate that there was a ſettled Deſign to introduce Popery and Arbitrary Power into *England*, expreſſed himſelf after this manner:

Expreſſions of a Member about the Perſecution of the Puritans. Nov. 7. Ruſh. IV. p. 24. Nalſon. I. p. 491.

They have ſo brought it to paſs, that under the Name of Puritans, *all our Religion is branded; and under a few hard Words againſt* Jeſuits, *all Popery is countenanced. Whoſoever ſquares his Actions by any Rule, either Divine or Humane, he is a* Puritan; *whoſoever would be governed by the King's Laws, he is a* Puritan; *he that will not do whatſoever other Men would have him do, he is a* Puritan: *Their great Work, their Maſter-piece, now is to make all thoſe of the Religion, to be the ſuſpected Party of the Kingdom.*

Theſe Speeches were backed with ſo great a Number of Complaints and Petitions concerning Grievances both Publick and Private, that the *Houſe* was divided into above forty Committees upon this ſingle Article, according to the different Nature of the Complaints. But before the particular Examination

1940. *A Faſt appointed.* Nov. 17. *Committee to examine the Proclamation againſt* Recuſants.

of theſe Grievances was entered upon, the *Commons* thought fit to deſire the Concurrence of the Lords to move the King, that he would be pleaſed to appoint a *Faſt*, which met with no Oppoſition either from the Lords or the King. Then they appointed a Committee to examine what Number of *Papiſts* were in and about *London*, and how they were armed. As the King [by a Meſſage] had acquainted them with his Intent to iſſue out a Proclamation againſt *Recuſants*, this Committee was empowered to examine the ſame after it ſhould be publiſhed, and ſee how it was executed.

A Motion to make a Remonſtrance of the State of the Kingdom. Nov. 9. Ruſh. Nalſon. I. p. 507.

Two Days after, on the 9th of *November*, the *Houſe* going upon the *Grievances*, the Lord *Digby*, Son of the Earl of *Briſtol*, made on that Subject a Speech, which [he concluded with making this Motion, *That a ſelect Committee may be appointed to draw out of all that has been complained of ſuch a* REMONSTRANCE *as may be a faithful and lively Repreſentation to his Majeſty of the deplorable Eſtate of the Kingdom* *. Very probably this Motion had been reſolved among the Leaders, becauſe they were apprehenſive of the King's being againſt the Redreſs of Grievances, and becauſe in that Caſe it was neceſſary to let the People ſee the Neceſſity of this Redreſs, by ſetting forth wherein conſiſted the Grievances of the Nation. The Lord *Digby*'s Motion being approved of, the *Houſe* appointed a Committee of Twenty-four to prepare the *Remonſtrance*. But becauſe the King ſhowed a greater Compliance than was expected, this *Remonſtrance* was not drawn up till above a Year after, and on another Occaſion.

Committee appointed to draw it up. It is deferred.

One

* In this Speech he mentions among other Things, the *new Canon-Oath*, and ſays, "My Opinion of this Oath is, that it "is a *Covenant* againſt the King for Biſhops; as the *Scotiſh Covenant* is againſt the King and Biſhops, only ſo much worſe than "the *Scotiſh*, as they admit not of the *Supremacy* in *Eccleſiaſtical* "*Affairs*, and we are *ſworn* to it." *Ruſh.* Vol. IV. *p.* 22. *Whitlock* p. 36.

One of the Members * who had ſpoken upon the *Grievances*, having chiefly inſiſted upon the *Monopolies*, it was voted that all ſuch Members as directly or indirectly had any ſhare in, or Benefit from any *Project* or *Monopoly*, ſhould be diſabled to ſit in the *Houſe*, and that Mr. *Speaker* ſhould iſſue out Writs to chuſe others in their room. There were afterwards four expelled the *Houſe* upon that account *1. 1640. *Votes againſt* Monopolizers Ruſh. IV. p. 37.

During the four or five firſt Days, the *Houſe* of *Commons* was almoſt wholly taken up with receiving *Petitions* and Complaints, as well from private Perſons, as from Burroughs and Shires. Amongſt the private *Petitions* the moſt remarkable were thoſe of *Baſtwick*, *Burton*, *Pryn*, *Lilborn*, *Leighton*, *Jennings*, *Smart* *2. Theſe Men complained of the exorbitant Pains *Petitions from* Pryn, Baſtwick, Burton, &c. Clarend. I. p. 199.

* Sir *John Culpepper*.

*1 *Whitlock* ſays, many Members thereupon withdrew themſelves, and new Elections were made in their room. p. 37.

*2 Dr. *Baſtwick* a Phyſician, wrote a reproachful Book againſt the Biſhops, particularly againſt *Laud* and *Juxon*.

Burton a Divine, who had been formerly Cloſet-Keeper to the King, printed likewiſe two ſmart Tracts (ſays *Whitlock*) againſt Epiſcopacy. For which Books he and *Baſtwick* were fined 5000 *l.* apiece, condemned to loſe their Ears in the Pillory, and to be impriſoned, the one in *Lanceſton*-Caſtle, the other in *Lancaſter*-Caſtle.

Pryn. See Vol. X. p. 282. Theſe three were afterwards removed, *Pryn* to a Caſtle in *Jerſey*, *Baſtwick* to *Silly*, and *Burton* to *Guernſey*, from whence by order of Parliament they were brought to *London*. *Pryn* and *Burton* landing at the ſame time at *Southampton*, were received with extraordinary Demonſtrations of Eſteem, their Charges bore, and liberal Preſents given them. This Method and Ceremony kept them Company all their Journey, and ſo many People met them upon their Approach to *London*, that they were carried into the City by above ten Thouſand Perſons, with Boughs and Flowers in their Hands. *Clarend*. Vol. I. *p*. 202.

The Lord *Clarendon* obſerves, that as theſe three Men were of the three Profeſſions which had moſt influence upon the People, though they had formerly been looked upon under Characters of Reproach, yet when they were expoſed on Scaffolds to have their Ears cut off, and Faces branded with hot Irons like common and ſignal Rogues, Men began no more to conſider their Manners but the Men; and each Profeſſion with Anger and Indignation enough,

1640. Pains and Penalties inflicted on them by the *Star-Chamber* and *High-Commiſſion*. As I intend not to dwell upon the Affairs of private Perſons. I ſhall only ſay in two Words, that within the ſpace of about a Year, the *Commons* found Time to examine all theſe *Sentences* one after another, and make the Members of the *Star-Chamber* who had given their Votes, ſuffer for it, by condemning them to pay all the Coſts and Damages to the Parties. The Reparations to *Baſtwick*, *Pryn*, and *Burton*, were fixed to above four Thouſand Pounds each (*a*). All the other Complaints of private Perſons, whether againſt the Courts of Juſtice, or the *Star-Chamber* and *High Commiſſion*, or certain Biſhops and Deans who laboured more than the reſt to introduce Innovations in Religion were heard. The *Commons* took a Pleaſure to mortify in their Turn, thoſe who had made it their Buſineſs to ſtretch the Prerogative Royal, in perſecuting the *Puritans*, or rather ſuch as did not bear the Yoke patiently, who were confounded, under that Name, with the *Presbyterians*.

Grievances of private Perſons redreſſed.

If

nough, thought their Education and Degrees, and Quality, would have ſecured them from ſuch infamous Judgments, and treaſured up Wrath for the time to come. Vol. I. p. 94, 95.

Lilburn for taking *Pryn*'s part, to whom he had been Clerk, was condemned to be whipped, and to ſtand on the Pillory. He is ſaid to receive 500 Stripes.

Leighton a Phyſician, Father of Dr. *Leighton* Archbiſhop of *Glaſcow*, for writing a Book called *Sion's Plea againſt Prelacy*, was thrown into a noiſom Priſon, fined ten Thouſand Pound, ſtood in the Pillory twice, having one Ear cut off, one Noſtril ſlit, and one Cheek fired, with 36 Laſhes each Time.

Alexander Jennings of *Buckinghamſhire*, for refuſing to pay Ship-Money, was impriſoned in the Fleet, by Warrant of the Council, without any Cauſe expreſſed, and the Court of *King's Bench* had refuſed to Diſcharge or Bail him when brought thither by *Habeas Corpus*.

Smart Canon of *Durham*, having in 1628, printed two Sermons againſt Innovations in the Church of *Durham* by Dr. *Coſins*, was by the High Commiſſion of *York* deprived of his Prebend and Living, fined 500 *l.* and impriſoned many Years.

(*a*) *Nalſon* pretends that the Sentence in the *Star-Chamber* againſt *Baſtwick* was not only juſt, but that he deſerved even Death, if he had not had to do with the moſt merciful of Kings.

If the *Commons* thought it incumbent on them to do Juſtice to private Perſons who had ſuffered any Injury during the firſt fifteen Years of this Reign, it may well be imagined, they omitted not to redreſs the Grievances of the whole Nation. This was their principle Buſineſs during the firſt Year of their Sitting. Though the Parliament was compoſed of ſeveral Parties who had not all the ſame Views, they were however unanimous with reſpect to the Redreſs of *Grievances*. Thoſe of the Members who were moſt devoted to the King, durſt not oppoſe the general Senſe, ſome becauſe they thought the Thing juſt, others, not to loſe their Labour, and for fear of rendering themſelves too ſuſpected. 1640. *The Publick Grievances redreſſed alſo.*

Among thoſe who had contributed moſt to the publick Miſchiefs, the Archbiſhop of *Canterbury* was conſidered as one of the chief and moſt worthy of Puniſhment, as being Author of the Innovations in the Church, Promoter of the War with *Scotland*, Perſecutor of the *Presbyterians*, and Head of the *Arminians*. The Earl of *Strafford* was likewiſe of this Number, becauſe he had ſo entirely devoted himſelf to the King, that in his two great Offices of Preſident of the Court of *York*, and Lord-Lieutenant of *Ireland*, he had no other View but to ſtretch the Prerogative Royal, and increaſe the King's Revenues. His proud and haughty Carriage had given no leſs Offence to the Publick than his Actions, whereby he ſtrove to eſtabliſh an Arbitrary Power. He was accuſed of adviſing the King to tranſport his *Iriſh* Army into *England*, to ſubdue ſuch as would oppoſe his Will. Though he was highly in the King's Favour, he had nevertheleſs made himſelf many Enemies at Court, and in the Kingdom, who earneſtly ſought Occaſions to ruin him. The Lord-Keeper *Finch*, was looked upon alſo as a pernicious Counſellor, wholly devoted to the King, and ready to do any Thing towards eſtabliſhing a deſpotick Government. It was not doubted but he was the Man that corrupted the *Principal Authors of the Grievances.* Laud. Strafford. Finch.

1640. Windebank. Clarend. I. p. 178.

Judges in the Buſineſs of *Ship-Money*. Sir *Francis Windebank*, one of the Secretaries of State, was reckoned the Patron of the *Catholicks*, and it was by his Means that the condemned *Prieſts* and *Jeſuits* eſcaped one way or other the Sentence paſſed againſt them. In ſhort, the Judges of the Realm had rendered themſelves extremely odious to the People, as well by the Judgment they had given in Mr. *Hambden*'s Affair, as by a Thouſand other Acts of Injuſtice to private Perſons. Theſe were the principal Authors of the *Grievances* whom the *Commons* intended to bring to exemplary Puniſhment.

The Judges.

The Earl of Strafford *is accuſed of High-Treaſon.* Ruſh. IV. p. 42. Nalſon I. p. 520. Clarend. I. p. 173.

The Earl of *Strafford* was the firſt on whom the Storm fell. The 11th of *November*, Eight Days after the opening of the Parliament, Mr. *Pym* having deſired and obtained his Deſire of the *Commons*, that the Doors of the Houſe might be locked, and the outward Room cleared of Strangers, informed them, that there were ſeveral Complaints againſt the Earl of *Strafford*, which miniſtred good Ground to accuſe him of High-Treaſon. Upon this Information the *Houſe* immediately appointed a Committee of Seven *, who withdrawing into another Room, and conferring together, reported, preſently after, that it was their Opinion, there was juſt Cauſe to impeach the Earl of *Strafford*. Then Mr. *Pym* was ordered to go to the Houſe of Lords, and accuſe the Earl of High-Treaſon, in the Name of all the *Commons*. He had Orders likewiſe to tell the Lords, that in due time the *Commons* would produce the Articles of Accuſation, and in the mean time deſired the Accuſed might be put into ſafe Cuſtody. The Earl of *Strafford* was that very Day come from the Army, and had taken his Place in the Houſe of Lords. Before he left the Army, he had received notice that there was a Deſign to attack him. But whether through Pride, or a Belief that having done nothing without the King's Warrant,

* *Pym*, *Strode*, *St. John*, the Lord *Digby*, Sir *John Clotworthy*, Sir *Walter Earl* and *Hambden*.

Warrant, he was ſecure, he ſlighted the Advice, and would be preſent in the Parliament. Indeed, ſome Months before, the King's Protection was more than ſufficient to ſcreen him from all Danger. But the Face of Affairs was altered, and it is ſtrange a Perſon of ſo great a Genius, and ſo good Senſe, could imagine the King was able to protect him in ſuch a Juncture.* However this be, upon the *Commons* Impeachment, the Lords committed him forthwith to the Cuſtody of *the Black-Rod*, and ſome Days after ſent him to the *Tower*. As this Affair was ſpun out till the Month of *May* the next Year, I ſhall defer ſpeaking of it, till I come to the Time of this famous Trial, and ſhall continue to relate, without Interruption, what concerns the Redreſs of *Grievances*, and the Puniſhment or Accuſation of the Authors of them. 1640.

He is ſent to the Tower.

Secretary *Windebank* was attacked next. Several *Petitions* were preſented againſt him to the *Houſe*, whereof he was Member, complaining that as Secretary of State, he had iſſued out Warrants under his own Hand for the Diſcharge of Proſecutions againſt *Prieſts*, and for their Releaſe out of Priſon. All theſe *Petitions* tended to ſhow that he loſt no Opportunity to countenance the *Papiſts*, and gloried in being owned for their Patron. I do not know whether

Windebank is cited. Ruſh. IV. p. 71.

* *Whitlock* ſays, it was conſidered at *York*, whether the Earl ſhould repair to the *Houſe*, or continue in the *North* with the Army. The Earl humbly deſired his Majeſty to excuſe his going to the Parliament, alledging, *He ſhould not be able to do him any Service there, but rather be a Means to hinder his Affairs, and beſides, in caſe they ſhould fall upon him, he being at a diſtance might the better retire from Danger*, &c. The King, notwithſtanding all he could ſay, inſiſted upon the Earl's coming up to Parliament, and told him, *As he was King of* England *he was able to ſecure him from any Danger, and the Parliament ſhould not touch one Hair of his Head.* So in Obedience to the King's Commands the Earl came up to *London*, but not, as *Rapin* ſays, the ſame Day he was impeached, but a few Days before. *Whitlock*, p. 36. The Lord *Clarendon* ſays, it was believed he came to the Houſe that Day, to accuſe the Lord *Say* and ſome others of having induced the *Scots* to invade the Kingdom. Vol. I. p. 175.

1640. he made outward Profession of the *Roman Catholick* Religion. Be that as it will, he was summoned several times to come to the *House*, and answer to what was laid to his Charge. But he believed it his wisest Course to avoid the impending Storm and withdraw into *France*. As soon as he was out of danger, he wrote to the Earl of *Pembroke*, Lord High-Chamberlain, a Letter deploring his Misfortune, and intimating that if he were guilty, it was only for having served the King faithfully and obeyed his Orders. *

He flies into France. Rush. IV. p. 91. Jan. 11.

The *Convocation*, their *Canons*, *Oath*, and the *Tax* they had laid upon the *Clergy* to aid the King in his War with *Scotland*, were next taken into Consideration by the *House*. This Business was debated with great Warmth. Several Members made, upon this Occasion, Speeches tending to show that the King could not, by his Authority, turn the *Convocation* into a *Synod*. They alledged for Reason, that the *Clergy* who composed it, could not act but as Members of the *Convocation*, because, to be empowered to act as Members of a *Synod*, they ought to have been elected by the People, and it did not appertain to the King to make this Election as he pleased. That the *Convocation* or *Synod* had not Power to make *Canons* for the whole Nation, without the Consent of the People themselves, nor consequently without the Intervention of the Parliament. That most of the *Canons* were unjust in themselves, and tended to the Increase of the *Clergy*'s Power, to the Prejudice of the King's Authority, and the People's Liberties. That by these *Canons* the *Convocation* assumed a Power above the Parliament. That the *Oath* they imposed was strange, doubtful, contrary to the Privileges of the Parliament, and the Rights of the People, and obliged

Debates upon the Convocation. Rush. IV. p. 100. Nalson I. p. 533.

* Sir *Francis Windebank* had been *Laud*'s Pupil, and was made Secretary by his Recommendation. In his Letter to the Earl of *Pembroke* are these Words, *What I am guilty of none knows so well as his Majesty, whom I have served faithfully, diligently, painfully, and with as true and loyal a Heart, according to my poor Abilities, as any other whatsoever.* Nalson, I. *p.* 652.

obliged Men to ſwear to things as neceſſary, which might be altered without any detriment to Religion. For inſtance, ſuppoſing it were true that *Biſhops* are *Jure Divino*, which the Church of *England* never acknowledged,* it could not be affirmed that *Archbiſhops*, *Deans* and *Archdeacons* are of *Divine* or *Apoſtolick* Inſtitution, and yet he that took this Oath was made to ſwear that he would never conſent to the altering the Government of the Church by Archbiſhops, Biſhops, Deans, Archdeacons, *&c.* That by this Oath, the Repreſentatives of the Nation would be ſo tied up, that although the Parliament has Power to alter the Government of the Church, they would not be able ſo much as to debate upon that Subject, by reaſon of their Oath. Upon theſe and many other Reaſons, which I omit to avoid Tediouſneſs, the *Commons* voted unanimouſly, *Nemine Contradicente*, 1. That the *Clergy* of *England* convened in a *Convocation* or *Synod*, or otherwiſe, have no Power to make any *Conſtitutions*, *Canons*, or *Acts* whatſoever, in 1640.

Votes concerning the Convocation. Ruſh. IV. p. 112.

* The Words of Mr. *Nathanael Fienes*'s Speech are, "Whether "Biſhops be *Jure Divino*, we know is a Diſpute among the "*Papiſts*, and never did any *Proteſtant* hold it till of late Years. "But that Archbiſhops, Deans, Archdeacons, *&c.* ſhould be "*Jure Divino*, I do not know that ever any Chriſtian held it be"fore, and yet he that takes this Oath muſt ſwear it." *Ruſh.* IV. p. 109. Sir *Edward Deering* began his Speech about the *Canons* to this Effect: "The Pope (ſay they) has a *Triple Crown*, an"ſwerable thereto he pretends to a Threefold Law: The Firſt is, "*jus divinum*, and this he would have you think to be the Co"ronet next his Head, that which ſecures his Power. The Se"cond is, *jus humanum*, *Conſtantine*'s Donation, the Gift of in"dulgent Princes, *Temporal Power*; this is his *Middle Crown*: "Out of theſe Two the Pope frames his Third Crown himſelf, "and ſets it upon the Top; that is, *jus canonicum*, the *Canon* "*Law*, of more uſe to his Popeſhip than both the other.—— "Juſt ſo our Prelates from the pretended Divinity of their Epiſco"pacy, and from the Temporal Power granted by our Princes, "would now obtrude a New-Canon-Law upon us." He concludes with ſaying, "No *Canons* can bind the *Laity*, where we "have no Voice of our own, nor Choice of the Clergy-Per"ſons who do found them, nor aſſent in the Suſception of them "after they are framed; *Quod omnes tangit, ab omnibus tractari debet.*" Ruſh. IV. p. 104.

1640. in Matters of *Doctrine*, *Discipline*, or otherwise, to bind the *Clergy* or *Laity* of the Land without common Consent in Parliament. 2. That the *Canons* treated upon by the late *Convocation* do contain Matters contrary to the King's Prerogative, to the fundamental Laws and Statutes of the Realm, to the Rights of Parliament, to the Property and Liberty of the Subjects, tending to Sedition, and of dangerous Consequence. (*a*) *

Immediately after these Resolutions, the *House* appointed a Committee of Thirty-six, to examine who were the chief Promoters of these *Canons*, and how they had been put in Execution: to consider in particular how far the Archbishop of *Canterbury* had been concerned in the great Design of subverting the Laws of the Land and Religion: and to draw up a Charge against him and such others as should appear guilty of the same Crime. The *Scotish* Commissioners who were sent to *London* to continue the Treaty begun at *Rippon*, were, as I said, in good understanding with the leading Members of the *Commons*, and in all appearance, they had been informed of the Design to prosecute the Archbishop. And therefore, to make the Blow fall the heavier on this Prelate, by joining their Complaints with those of the *Commons*, they presented next Day to the Lords, Articles of Impeachment against him, to this Effect:

The Articles of Accusation against him. Rush. IV. p. 113. Nalson V. I. p. 603.

" That he was the Cause of all the Troubles in " *Scotland:* That he was the Author and Urger of " introducing into *Scotland* the Book of Canons, and " the Liturgy, as was manifest from Fourteen Let- " ters of his which they offered to produce: That " th

(*a*) * It was voted likewise, *Nemine Contradicente*, that the several Grants of the Benevolence or Contribution granted to his most excellent Majesty by the Clergy in their late Convocation are contrary to the Laws, and ought not to bind the *Clergy*. *Rush.* IV. p. 112.

(*a*) Some pretend these Votes were very unjust; if so, it is strange no one Member should be against them. The Lord *Clarendon* freely owns, that the *Canons* were unwarrantable, even in a more favourable Season.

" the *Scotch* Prelates having ſent to him a Book of Canons, written upon the one Side only, with the other Side blank, he had made ſeveral Interlinings, and filled up the blank Pages with ſeveral Directions; which Changes and Supplements were taken from the *Romiſh Rituals*, that varied from the *Book of England*: That they were contrary to the King's Intentions, who in his large Declarations had profeſſed, That all the Variations in the *Scotch* Service from that of *England*, ſhould be only in ſuch things as the *Scotiſh* Humours would better comply with it. But that the Archbiſhop had no regard to this. On the contrary, the *Scotiſh* Prelates having petitioned, that ſomewhat might be abated of the *Engliſh* Ceremonies, as the *Croſs* in Baptiſm, the *Ring* in Marriage, and ſome other things; he had been ſo far from retrenching any of them, that he had added many more: That in the Order of the Adminiſtration of the Communion in the *Book of England* he had made ſeveral Alterations, which plainly ſhewed his Deſign of introducing Popery in *Scotland*: That he had kindled War between the King and the *Scots*; and been one of the chief Cauſes of breaking the laſt *Pacification*, and renewing the War: That he had inſerted into the *Divine Service* a Prayer againſt their Nation, by Name of *Traiterous Subjects, having caſt off all Obedience to their anointed Sovereign, and coming in a rebellious Manner to invade* England, *that Shame might cover their Faces as Enemies to God and the King.*" 1640.

I have very much abridged theſe Articles, which are very large and particular: but what is here ſaid, is ſufficient to ſhow their Scope and Deſign.

On the Morrow Sir *Harbottle Grimſton* made in the *Houſe* a Speech againſt the Archbiſhop, wherein he pretended to ſhow, that all thoſe who had any Hand in the Miſeries of the State, as the Earl of *Strafford*, Grimſton's *Speech againſt* Laud. Ruſh. IV. p. 122.

1640. *Strafford*, the Biſhops of *Cheſter*, *Oxford**, *Ely*, *Bath* and *Wells*, had been raiſed by his Means, and that there was not a ſingle *Grievance* but what he was concerned in. Upon this and ſeveral Complaints, the *Commons* impeached the Archbiſhop of High-Treaſon, and the Lords put him into the Cuſtody of the *Black-Rod*. Some time after he was ſent to the *Tower*.

Laud is accuſed and ſent to the Tower.

Then the *Commons* ſent a Meſſage to the Lords to let them know, they had received Informations of a very high Nature againſt *Matthew Wren* Biſhop of *Ely*; and having heard that he intended to make his Eſcape out of the Kingdom, they deſired them to think of ſome way to prevent it. Whereupon the Lords ordered the Biſhop to give Ten Thouſand Pound *Bail* for his forth-coming, which he conſented to.

The Lord Finch *voted a Traitor, and flies into* Holland. Ruſh. IV. p. 124.

Of thoſe whom the *Commons* looked upon as the chief Authors of the publick *Grievances*, there remained only the Lord-Keeper *Finch* and the Judges. The firſt was declared a Traitor by a Vote of the *Houſe* of *Commons*, notwithſtanding the [eloquent] Speech he was permitted to make at the Bar of the *Houſe* in his Vindication. But before he was accuſed in form, he fled into *Holland*. However, he was impeached afterwards though abſent. Preſently after his Flight, the King made Sir *Edward Littleton* Lord-Keeper.

Littleton *made Lord Keeper.*

Three Judges are obliged to give Bail. Ruſh. IV. p. 130. Nalſon I. p. 621.

In fine, the *Commons* ſent word to the Lords, that they had received Informations againſt Three Judges, Sir *John Bramſton*, Lord Chief-Juſtice of the *King's-Bench*; Sir *Humphrey Davenport*, Lord Chief-Baron; and Juſtice *Crawley*, and deſired the *Houſe* that they might put in good Security for their Appearance. Whereupon, the Lords obliged theſe Three Judges to give Ten Thouſand Pound *Bail* each. The other Judges were likewiſe accuſed afterwards.

Thus

* *John Bancroft* Biſhop of *Oxford* was poſſeſſed with ſuch Fear of this Parliament, that he died about this time with little or no Sickneſs.

Thus the Perſons who were conſidered by the *Commons* as the principal Authors of the publick *Grievances*, were diſabled not only to continue to adviſe the King, but alſo to eſcape Puniſhment, except the Lord *Finch* and Sir *Francis Windebank*, who ſaved their Perſons by leaving their Eſtates in *England*. I ſhall not ſtay to ſpeak of many others of an inferior Rank, who were variouſly puniſhed, whether for exerciſing *Monopolies*, or inventing Means to raiſe the King Money, whether for introducing or countenancing Innovations in Religion, or laſtly, for prevaricating in the Exerciſe of their Offices. 1640.

Method of the Commons to redreſs Grievances.

Whilſt the *Commons* were buſy in ſecuring the Perſons of ſuch as they intended to puniſh, they prepared likewiſe whatever was neceſſary to free the Nation from all their *Grievances*. The ſame Method was uſed to this End, as had been employed againſt the Perſons. That is to ſay, *Petitions* from all Quarters were preſented to the *Houſe* upon *Grievances*. Theſe *Petitions* being read, ſeveral Speeches were made in the *Houſe*, to ſhow how prejudicial theſe *Grievances* were to the Publick, and the Principles were chiefly inſiſted upon which gave them Birth, as being directly contrary to the Conſtitution of the Government, and tending to its Subverſion. Whereupon, it was voted that ſuch a Thing was illegal, and ordered that a *Bill* ſhould be prepared to aboliſh it. This was the Subject of divers *Acts*, which were preſented to the King for the Royal Aſſent from the 3d of *November* 1640, to the 10th of *Auguſt* 1641. The principal were theſe:

Acts paſſed in 1640 *and* 1641, *for redreſs of Grievances.*

An *Act* for a *Triennial* Parliament: That is to ſay, to ordain that a Parliament ſhould be held, at leaſt every Three Years, though the King ſhould neglect to call it, that the Inconveniencies ariſing from a too-long Intermiſſion of Parliaments might be prevented. (*a*)

An

(*a*) Paſſed *February* 15. 1640-1.

1640. An *Act* to abolish the *Star-Chamber* and *High-Commission*. (*b*)

An *Act* to reduce the Forests to the same State they were in under *Edward* I. (*c*)

An *Act* to repeal the *Statutes* made in the Reign of *Edward* II concerning *Knighthood*. (*d*)

An *Act* to permit any Subject to make Salt-petre and Gun-powder throughout the Kingdom. (*e*)

An *Act* to abolish *Ship-Money*. (*f*)

The Necessity of these *Acts* was so manifest, that the King must have either consented to them, or plainly declared he would govern with an absolute Power. But he was not so unwise as to oppose them in his present Circumstances. An illustrious Historian makes no scruple to say, that *these ACTS will be acknowledged by an incorrupted Posterity, to be everlasting Monuments of the King's fatherly Affection to his People; and such an Obligation of Repose and Trust from his Majesty in the Hearts of his Subjects, that no Expressions of Duty and Confidence from them could have been more than a sufficient Return on their Parts.* The King himself afterwards would often have had these Concessions to be considered as Acts of pure Grace, which the Publick ought to have been obliged to him for. But unhappily for him, neither Parliament nor People were persuaded that they proceeded from his Justice or Affection to them, but rather from the Necessity he was under of giving his Assent.

Clarend. I. p. 288.

Proceedings of the Commons by Votes.

Besides these *Acts*, the *Commons* passed many general *Votes* upon other Matters. Indeed, these *Votes* are not considered as Laws, neither do the Judges go by them in their Determinations. Nevertheless, such is their Effect, that few Persons are so hardy as to act

(*b*) Passed *August* 7. 1641.
(*c*) Passed *August* 10. 1641.
(*d*) Passed *July* 3. 1641.
(*e*) Passed.
(*f*) Passed *August* 7. 1641.

act directly contrary to these kinds of Decisions of the *House* of *Commons*, since it is in some measure to oppose the Sense of the People whom they represent. Besides, an Action directly repugnant to what has been voted, is liable to be brought into question when it is least expected, and draws upon the Person that does it the Indignation of the *House*, who have Opportunities enough to make him feel the Effects of their Resentment. 1740.

The *Commons* Aim was not only to stop the Evil by means of these *Votes*, but also to terrify all those who had been concerned in the *Grievances*, in order to take from the King all hopes of support in his People. For after the *House* had voted, for Instance, that such a *Monopoly* was illegal, if any Person who had a Hand in that *Monopoly*, behaved in a manner disagreeable to the *Commons*, or appeared too much attached to the King, an Accusation against him was the certain Consequence of such a Behaviour. By that, the King's most devoted Friends chose rather to relinquish his Interest than be liable to a Charge, which they plainly saw it was not in the King's Power to screen them from. This had very clearly appeared by the great Examples of the Earl of *Strafford*, Archbishop *Laud*, Lord-Keeper *Finch*, and Secretary *Windebank*, after whom no private Person could hope for any Protection from the King. Thus the *Commons* rendered themselves so formidable in the very beginning of the Parliament, that the King found himself on a sudden deserted by all the World, without having other Refuge than to consent to whatever was proposed by the Parliament. He hoped however, that when all the *Grievances* were redressed, he should be, if not in the same State he had been for Fifteen Years, at least in the natural State of a King of *England*, according to the Laws and the Constitution of the Government. But it will be seen hereafter how much he was mistaken in his Conjecture. His former Administration had made too deep Impressions in the Minds of his Subjects, for

The Commons render themselves formidable.

The King is forced to consent to every thing.

1640. the Majority ever to be perſuaded that he would for the future be contented with the Power allowed him by the Law. This Diſtruſt was the Stumbling-block and immediate Cauſe of the War between the King and Parliament. But it is not time yet to enter into this Carreer.

Another Method to declare People Delinquents.

The *Commons* made uſe likewiſe of another Expedient to make themſelves feared. As there were abundance of People who in Conformity to the Intentions of the Court, had been concerned in the *Monopolies*, or countenanced the Innovations, or helped to introduce and ſupport what was the Subject of the *Grievances*, the *Commons*, upon the *Petitions* preſented to them againſt theſe Men, ſent for them to *London*, and examining them by a Committee, declared them *Delinquents*. As much as to ſay, that according to the Opinion of the *Houſe*, they were guilty of Faults or Offences for which they deſerved to be proſecuted and puniſhed according to Law. This Term of *Delinquent* was very much in uſe during the Continuance of this Parliament. Thus, a great Number of Perſons who had been moſt noted for their Adherence to the Maxims of the Court, or the Principles of the Archbiſhop, were voted *Delinquents*, and thereby kept in awe by the *Commons*, who had it in their Power either to proſecute or let them alone, according as they behaved well or ill to them. But the Number of thoſe who were declared *Delinquents* was nothing in compariſon of ſuch as had reaſon to fear the like Declaration, upon the leaſt *Petition* againſt them. From hence there followed an unanimous Approbation of whatever was done by the *Houſe*; ſome conſenting becauſe they thought the Things juſt, and others out of fear of Chaſtiſement. This is what rendered the Redreſs of *Grievances* much eaſier to the *Commons*, and would have made it impracticable for the King to oppoſe it, ſhould he have had any ſuch Thoughts. The King reaped at leaſt this Advantage from his Conſent to the Redreſs of *Grievances*, that he gave occaſion to many to believe

lieve, he heartily concurred in that Work. But his Enemies drew from thence quite another Conſequence. They ſaid, the Parliament's Meaſures being ſo well laid, that it would have been in vain for the King to oppoſe them; they were not obliged to him for a Conſent, which Neceſſity forced him to, ſince, as long as he had it in his Power to hinder the Redreſs of *Grievances*, he had always refuſed to hearken to the inſtant Deſires of his Parliaments. 1640.

Warning concerning the Partiality of Hiſtorians.

I am now to warn my Readers, that we are come to a Time wherein they muſt be very much upon the Guard with reſpect to the Partiality of the Hiſtorians, each of whom does his utmoſt Endeavour to prejudice his Readers either in favour of the King, or in favour of the Parliament. This Partiality does not conſiſt ſo much in diſguiſing the Facts, wherein both Parties are pretty well agreed, as in the Principles they laid down. Thoſe that are for the King, exalt, as high as poſſible, the Prerogative Royal. Nay ſome ſtretch it even to a ſort of deſpotick Power, as we have ſeen Inſtances in the Writings and Sermons of *Sibthorp*, *Mountague*, *Manwaring*, of whom we have ſpoken in the former Part of this Reign. According to this Principle, they think and maintain that the Parliament's Aim was not to reſtore the Government to its natural State, as was given out, but rather to overturn the Conſtitution both of Church and State. That upon this Account it was that Objects were ſo much magnified, by aggravating ſome Acts of Authority done by the King, as tending to ſubvert the Government, though they might be ſupported by the Prerogative Royal, if any but the *Commons* had been Judges. But tho' they manifeſtly declared themſelves Parties againſt the King, they nevertheleſs made themſelves Judges, voting ſuch and ſuch things done by the King, to be contrary to the Laws. Nothing is a clearer Evidence, according to theſe Men, of the Parliament's ſecret Deſign to overthrow the Government, and a ſtronger Proof cannot be deſired than the Experience of what afterwards

1641. happened, when the Government of the State and that of the Church were actually changed.

The Favourers of the Parliament say, that without examining how far the Prerogative Royal reaches, it may at least be affirmed, that it cannot be contrary to the Laws: That if the King has his Prerogatives, the Parliament have their Privileges, and the People their Liberties, which the Prerogative cannot invade without destroying the Constitution of the Government, which consists in a happy Mixture of the Rights of King and People. That it was evident, before this Parliament the King had stretched his Prerogative to the Prejudice of the Nation's Rights, which the most attached to his Interests did not dare to deny. That this being the Case, nothing was more just, nothing more necessary than to restore the Government to its natural State. That it is therefore beside the Purpose to have recourse to a secret Design of subverting Church and State, since the Neceffity of redressing the *Grievances* was undeniably evident: That supposing it were true that the *Commons* used sundry Artifices to render themselves formidable, and the more easily attain their Aim, namely, the Redress of *Grievances*, these Artifices were not blameable, considering how impracticable the former Parliaments had found it to execute the same Design.

I am persuaded that the greatest Part of the Readers for whom I write this History, such, I mean, as are not *Englishmen*, would not have me to enter into a particular Account of all that passed in the *House* of *Commons* relating to the Redress of *Grievances*. It would be too tedious a Work, which after all, would inform them of nothing more material than what has hitherto been said. Nevertheless, for the Satisfaction of those who are unacquainted with the Manner of Parliamentary Proceedings, I shall give here a brief Relation of what was done with regard to *Ship-Money*, the *Grievance* most complained

Proceedings in Parliament upon Ship-Money.

of, and by that will be ſeen the Method taken with reſpect to the reſt. 1640.

During the firſt whole Month of this Seſſion, ſcarce a Day paſſed but the *Houſe* received *Petitions* from divers Counties, touching *Grievanees*, amongſt which, that of *Ship-Money* was never forgotten. At laſt, on the 5th of *December*, the Day appointed to debate upon that Matter, the Lord *Falkland* (*a*) *, who was afterwards Secretary of State made the following Speech to the *Houſe*.

Mr. Speaker,

" I Rejoyce very much to ſee this Day; and the " Want hath not lain in my Affection but my " Lungs, if to all that hath been paſt I have not " been as loud with my Voice as any Man in the " Houſe; yet truly my Opinion is, we have yet " done nothing, if we do no more; I ſhall add what " I humbly conceive ought to be added, as ſoon as " I have ſaid ſomething with reference to him that " ſays it.

Lord Falkland's *Speech*, Decem. 5. Ruſh. IV. p. 86. Nalſon. I. p. 576.

" I will firſt deſire the Forgiveneſs of the Houſe " if ought I ſay ſeem to intrench upon another's " Profeſſion, and enter upon the Work of another " Robe. Since I have been intruſted by the Report " of a learned Committee, and confirmed by the " uncontradicted Rule of the Houſe, ſince I ſhall " ſay nothing of this kind but in order to ſomething " further, and which moves me moſt to venture my " Opinion, and to expect your Pardon, ſince I am " confident that Hiſtory alone is ſufficient to ſhew " this Judgment contrary to our Laws, and Logick " alone ſufficient to prove it deſtructive to our Pro- " priety, which every free and noble Perſon values

(*a*) * There are Lords who are not *Peers*, as all the Sons of a Duke and Marquiſs, and the eldeſt Son of an Earl, who may be choſen Members of Parliament, as may alſo *Iriſh* and *Scotch* Peers. The Viſcount *Falkland* was an *Iriſh* Peer, and Member for *Newport*.

1640. " more than his Profeſſion; I will not profeſs I " know my ſelf, but all thoſe that know me, know " that my natural Diſpoſition is to decline from Se- " verity, much more from Cruelty. That I have " no particular Provocation from their Perſons, and " have particular Obligations to their Calling, a- " gainſt whom I am to ſpeak; and though I have " not ſo much knowledge in Law, yet far more than " I have uſe for; ſo I hope it will be believed, that " only publick Intereſt hath extorted this from me, " and that which I would not ſay, if I conceived it " not ſo true, and ſo neceſſary that no undigeſted " Meat can lie heavier upon the Stomach, than this " unſaid would have lain upon my Conſcience. *Mr.* " *Speaker*, the Conſtitution of the Commonwealth " hath eſtabliſhed, or rather endeavoured to eſta- " bliſh to us the Security of our Goods, and the Se- " curity of thoſe Laws which would ſecure us and " our Goods, by appointing for us Judges ſo ſettled, " ſo ſworn, that there can be no Oppreſſion, but " they of Neceſſity muſt be acceſſary; ſince if " they neither deny, nor delay us Juſtice, which " neither for the Great nor Little Seal they " ought to do, the greateſt Perſons in this King- " dom cannot continue the leaſt Violence upon the " meaneſt; but this Security, *Mr. Speaker*, hath " been almoſt our Ruin, for it hath been turned, or " rather turned itſelf into a Battery againſt us: And " thoſe Perſons who ſhould have been as Dogs to " defend the Sheep, have been Wolves to worry " them. Theſe Judges, *Mr. Speaker*, to inſtance " not them only, but their greateſt Crime, have " delivered an Opinion and Judgment in an extra- " judicial Manner, that is, ſuch as comes not within " their Cognizance, they being Judges, and neither " Philoſophers nor Politicians; in which when that " which they would have ſo abſolute and evident takes " place, the Law of the Land ceaſes, and that of " general Reaſon and Equity, by which particular " Laws at firſt were framed, returns to his Throne

" and Government, where *ſalus populi* becomes not 1640.
" only Supream, but *ſola lex*, at which, and to
" which End, whatſoever ſhould diſpenſe with the
" King to make uſe of any Money diſpenſes with us,
" to make uſe of his, and one anothers. In this
" Judgment they contradicted both many and learn-
" ed Acts, and Declarations of Parliaments; and
" thoſe in this very Caſe, in this very Reign, ſo that
" for them they needed to have conſulted with no
" other Record, but with their Memories.

" 2. They have contradicted apparent Evidences
" by ſuppoſing mighty and imminent Dangers in the
" moſt ſerene, quiet, and halcion Days that poſſibly
" could be imagined, a few contemptible Pyrates,
" being our moſt formidable Enemies, and there be-
" ing neither Prince nor State, with whom we had
" not either Alliance or Amity or both.

" 3. They contradict the Writ it ſelf, by ſuppo-
" ſing that ſuppoſed Danger to be ſo ſudden, that
" it would not ſtay for a Parliament, which required
" but forty Day's ſtay; and the Writ being in no
" ſuch haſte, but being content to ſtay forty Days
" ſeven times over.

" Mr. *Speaker*, it ſeemed generally ſtrange, that
" they ſaw not the Law, which all Men elſe ſaw,
" but themſelves; yet though this begot the more
" general Wonder, three other Particulars begot the
" more general Indignation. The firſt of all the
" Reaſons for this Judgment was ſuch, That there
" needed not any from the adverſe Party to help
" them to convert thoſe few, who before had not
" the leaſt Suſpicion of the Legality of that moſt
" illegal Writ, there being fewer that approved of
" the Judgment, than there were that judged it le-
" gal, for I am confident they did not that them-
" ſelves.

" Secondly, when they had allowed to the King the
" ſole Power in Neceſſity, the ſole Judgment of
" Neceſſity, and by that enabled him to take both
" from us, what he would, when he would, and

1640. "how he would, they yet continued to perſwade "us that they had left us our Liberties and Pro-"perties.

"The Third and Laſt is, and which I confeſs mov-"ed moſt, that by the Transformation of us from "the State of free Subjects (a good Phraſe, Mr. "*Speaker*, under Dr. *Heylin*'s Favour) unto that of "Villains, they diſable us by legal and voluntary "Supplies to expreſs our Affection to his Majeſty, "and by that to cheriſh his to us, that is, by Par-"liaments. Mr. *Speaker*, the Cauſes of all the Mi-"ſeries we have ſuffered, and the Cauſe of all our "Jealouſies we have had, that we ſhould yet ſuffer, "is, that a moſt excellent Prince hath been moſt "infinitely abuſed by his Judges, telling him that "by Policy he might do what he pleaſed; with the "firſt of theſe we are now to deal, which may be a "leading to the reſt. And ſince in providing of "theſe Laws, upon which theſe Men have trampled, "our Anceſtors have ſhewn their utmoſt Care and "Wiſdom for our undoubted Security, Words hav-"ing done nothing, and yet they have done all that "Words can do, we muſt now be forced to think "of aboliſhing of our Grievances, and of taking a-"way this Judgment, and theſe Judges together, "and of regulating their Succeſſors by their exem-"plary Puniſhment.

"I will not ſpeak much; I will only ſay we have "accuſed a great Perſon of High-Treaſon, for in-"tending to ſubvert our fundamental *Laws*, and to "introduce Arbitrary Government; which we ſup-"poſe he meant to do, we are ſure theſe have done "it, there being no Laws more Fundamental than "that they have already ſubverted, and no Govern-"ment more abſolute, than that they have really "introduced.

"Mr. *Speaker*, not only the ſevere Puniſhment "but the ſudden removal of theſe Men, will have a "ſudden Effect in one conſiderable Conſideration, "we only accuſe, and the Houſe of Lords condemn;

"in

" in which Condemnation they uſually receive Ad- 1640.
" vice (though not Direction) from the Judges;
" and I leave it to every Man to imagine how pre-
" judicial to us, that is, to the Commonwealth, and
" how partial to their fellow Malefactors, the Ad-
" vice of ſuch Judges is like to be. How undoubt-
" edly for their own ſakes, they will think it may
" conduce to their Power, that every Action be
" judged to be a leſs Fault, and every Perſon to be
" leſs faulty, than in Juſtice they ought to do:
" Amongſt theſe, Mr. *Speaker* there is one I muſt not
" loſe in the Croud, whom I doubt not but we ſhall
" find, when we examine the reſt of them with what
" Hopes they have been tempted, by what Fears
" they have been aſſay'd, and by what, and by
" whoſe Importunity they have been purſued, before
" they conſented to what they did; I doubt not, I
" ſay, but we ſhall find him to have been a moſt
" admirable Sollicitor, but a moſt abominable Judge;
" he it is who not only gave away with his Breath,
" what our Anceſtors had purchaſed for us by ſo
" large an expence of their Time, their Care, their
" Treaſure, and their Blood, and employed his In-
" duſtry as great as his Injuſtice, to perſwade others
" to join with him in that Deed of Gift: But ſtrove
" to root up thoſe Liberties which they had cut
" down, and to make our Grievances immortal, and
" our Slavery irreparable, leaſt any part of our Po-
" ſtery might want occaſion to curſe him; he de-
" clared that Power to be ſo inherent to the Crown,
" as that it was not in the Power even of Parliaments
" to divide them.

" I have heard, Mr. *Speaker*, and I think here that
" common Fame is Ground enough for this Houſe
" to accuſe upon; and then undoubtedly there is e-
" nough to be accuſed upon in this Houſe; he hath
" reported this ſo generally, that I expect not that
" you ſhall bid me name him whom you all know,
" nor do I look to tell you News, when I tell you
" 'tis my Lord-Keeper; but this I think fit to put

1640. " you in Mind of, that his Place admits him to his " Majesty, and trusts him with his Majesty's Con- " science; and how pernicious every Moment must " be, which gives him means to infuse such unjust " Opinions of this House, as are expresst in a Libel, " rather than a Declaration, of which many believe " him to be the principal Secretary, and the other " puts the most vast and unlimited Power of the " Chancery into his Hands, the safest of which will " be dangerous: For my part, I think no Man se- " cure, that he shall think himself worth any Thing " when he rises, whilst all our Estates are in his " Breast who hath sacrificed his Country to his Am- " bition, whilst he who hath prostrated his own Con- " science, hath the keeping of the King's, and he " who hath undone us already by wholesale, hath a " Power left in him by retale.

" Mr. *Speaker*, in the beginning of the Parliament " he told us, and I am confident every Man here " believes it before he told it, and never the more " for his telling, though a sorry Witness is a good " Testimony against himself, that his Majesty never " required any Thing from his Ministers but Justice " and Integrity. Against which, if any of them " have transgrest, upon their Heads, and that deser- " vedly, it ought to fall; it was full and truly said, " but he hath in this Saying pronounced his own " Condemnation; we shall be more partial to him " than he is to himself, if we be slow to pursue it.

" It is therefore my just and humble Motion, that " we may chuse a select Committee to draw up his " and their Charge, and to examine their Carriage " in this Particular, to make use of it in the Charge, " and if he shall be found guilty of tampering with " Judges against the publick Security, who thought " tampering with Witnesses in a private Cause wor- " thy of so great a Fine (*a*), if he should be found " to

(*a*) This alludes to a Fine of 20,000 *l.* which *Williams* Bishop of *Lincoln* was condemned to pay for tampering with a Witness.

" to have gone before the reſt to this Judgment, and " to have gone beyond the reſt in this Judgment, " that in the Puniſhment of it, the Juſtice of this " Houſe may not deny him the due Honour both to " precede and exceed the reſt. 1640.

1. That the Charge impoſed upon the Subjects for the providing and furniſhing of Ships, and the Aſſeſſments for raiſing of Money for that purpoſe, commonly called *Ship-Money*, are againſt the Laws of the Realm, the Subjects Right of Property, and contrary to former Reſolutions in Parliament, and to the *Petition of Right*. Ship-Money *voted illegal*. Ruſh. IV. p. 88. Nalſon, I. p. 582.

2. That the extrajudicial Opinions of the Judges publiſhed in the *Star-Chamber*, and enrolled in the Courts of *Weſtminſter* in theſe Words, ——— in the whole, and in every part of them, are againſt the Laws of the Realm, the Subjects Right of Property, and contrary to former Reſolutions in Parliament, and to the *Petition of Right*.

3. That the Writ following —— and the other Writs commonly called the *Ship-Writs*, are againſt the Laws of the Realm, the Right of Property, and the Liberty of the Subjects, and contrary to former Reſolutions in Parliament, and to the *Petition of Right*.

After theſe Reſolutions the *Houſe* appointed a Committee of Sixteen, at the Head of whom was the Lord *Falkland*, to go forthwith to the ſeveral Judges to know in what manner, and by whom they were *ſollicited* or *threatned* to give their extrajudicial Opinion concerning *Ship-Money*. It was ordered that all the Judges ſhould be examined at the ſame time by two of the Committee, that they ſhould be acquainted what had been voted in the *Houſe* touching that Matter, and that the Committee ſhould ask ſuch Queſtions as they ſhould think material to the Execution of this Order. *Committee to examine the Judges.*

Next

1640. *Precaution concerning the King's Arbitrary Acts.* Rush. IV. p. 89.

Next Day, the *House* ordered that the Committee appointed to consider of the Propriety of the Subjects in their Goods, should take into Consideration some way of seeing the entering upon Record, the King's several Commissions for *Loans* and *Excise*, and the Resolutions of former Parliaments thereon; the Addition that was offered by the Lords to the *Petition of Right*, with the Resolution of the *House*; the Resolutions of the Questions proposed in the *House* concerning *Ship-Money*, that they may remain fair to Posterity. It was referred also to the same Committee to make a Preparation of the *Vote* passed about *Ship-Money*, to be sent up to the Lords; to draw up a Charge against the Lord *Finch*, and the rest of the Judges that gave their Opinion upon that Tax; to take into Consideration their extrajudicial Opinions and the Judgments in the Case of *Ship-Money*; to enquire of the several Denials of *Habeas Corpus*, and Prohibitions, their *extrajudicial Proceedings* and Opinions concerning *Ecclesiastical* Jurisdictions, and the Court of *Admiralty*; their denial of legal and ordinary Proceedings in Cases of Justice, and the binding of the whole Kingdom by any one Man's particular Case. The same Committee had Power to send for Parties, Witnesses, Papers, Records, or any Thing else that might conduce to this Business, and were to present the State of the whole Matter to the *House*.

An Order to prepare a Charge against the Lord Finch

The Lords cancel the Judgment in Mr. Hambden's *Case.* Rush. IV. p. 194.

On the other Hand, the 26th of *February* 164⅗, the Lords ordered to be brought to their *House* the Record in the *Exchequer* of the Judgment in Mr. *Hambden*'s Case, and also the Rolls in the *Star-Chamber* and other Courts, wherein the extrajudicial Opinions of the Judges were entered, and caused them to be annulled in their Presence. They ordered moreover, that a Copy of what they had done should be delivered to the Judges to be published at the Assizes in every County within their Circuits, and that an Act of Parliament should be prepared concerning this Matter.

All

All this produced at length Charges againſt the Lord-Keeper, and each of the ſeveral Judges, with an *Act* to aboliſh *Ship-Money*, to which the King gave the Royal Aſſent on the 7th of *Auguſt* 1641. 1640. *Bill againſt* Ship-Money *has the Royal Aſſent.*

Much the ſame Method was taken with regard to the other *Grievances*, and in the end, there was not one, publick or private, but what was redreſſed within the nine firſt Months of this Seſſion.

I intend not to include in theſe *Grievances*, thoſe concerning Religion. Beſides that theſe were not generally acknowledged for *Grievances*, this Matter requires a more particular Explanation of what paſſed in Parliament. I ſhall therefore ſhow in the firſt Place, how the two *Houſes* ſtood affected as to Religion, and then ſhall relate what paſſed in relation to this Subject.

Diſpoſition of the two Houſes with regard to Religion.

Since the beginning of the Reign of *James* I. the Biſhops had rendered themſelves much more powerful than they were before. The Oppoſition of the *Presbyterians*, who never ceaſed to exclaim againſt the *Hierarchy*, though they were not in Condition to overthrow it, had contributed very much to the Increaſe of the Biſhop's Power. Their impetuous Zeal cauſed the King to judge it proper to keep them low, leaſt in the end they ſhould occaſion ſome Diſturbance in the Church, and the Biſhops were the Perſons charged with the Care of ſeeing this Reſolution executed. The Endeavours to reduce them to Obedience, ſerved only to inflame the Evil. Inſtead of trying to convince them by Arguments, they treated them without Moderation, and if I may ſo venture to ſay it, without Charity. They would at any rate have compelled them to conform themſelves to the Church of *England*, not only in Things which might be conſidered as neceſſary, but alſo in Matters which moſt People looked upon as indifferent. They went farther, for divers Ceremonies were alſo added to the *Divine Service*, which many Perſons well affected to the Church thought too near allied to Popery. *William Laud* Archbiſhop of *Canterbury* was the principal

1940. pal Author of theſe Ceremonies, as well before, as after he was Archbiſhop. His chief Aim was to mortify the *Puritans*. But in going to work too briskly or rather too rigorouſly, he gave them a Handle to accuſe him that his Deſign was to favour Popery, on pretenſe of forcing the *Puritans* to conform themſelves to the Worſhip of the Church of *England*. No Man was more wedded to Ceremonies; and the more he was upbraided with it, the more he ſtrove to have them thought neceſſary. This was chiefly what gave occaſion to the *Puritans*, and even to ſome *Church-of-England*-Men to ſuſpect he had a Deſign to introduce the *Romiſh* Religion, this extreme Attachment to external Ceremonies ſeeming to them as a Means intended by him to compaſs his Ends. As for *Arminianiſm*, all the World agree that *Laud* was not only *Arminian*, but alſo Head of that Party in *England*, after his being in Favour with King *James* I. by the Duke of *Buckingham*'s Means. As the Knowledge of what paſſed in the Reign of *James* I. may be of great Service to the underſtanding the Affairs of Religion, which I have undertaken to explain, I ſhall briefly relate what I think moſt neceſſary, though mentioned before in King *James*'s Reign.

Progreſs of Laud's Credit. When the Diſputes concerning *Grace* aroſe in *Holland*, *James* I. eſpouſed the oppoſite Party to *Arminius*, and uſed even Threats to oblige the States of *Holland* to condemn *Vorſtius* his Succeſſor. After that, he ſent Biſhops and *Divines* to the Synod of *Dort*, to render the *Contra-Remonſtrants* the ſtronger. In the mean while the *Arminians* in *England* were forced to lye dormant, becauſe the Court was not propitious to them. *Laud*, then only a private Doctor in the *Univerſity* of *Oxford*, had yet no Credit, though ſhortly after the Duke of *Buckingham* helped him to the Biſhoprick of St. *David*'s in *Wales*. At the ſame King *James* was vigorouſly puſhing his Deſign to ſtretch the Prerogative Royal, to which he met with great Oppoſition, chiefly from the *Puritans*,

tans, who upon Matters of *Grace* were directly contrary to the *Arminians*. For this Reaſon the King and Duke thought fit to careſs and ſupport the *Arminians*, in order to ſet them againſt the *Puritans*, the King's grand Aim being to weaken that Party, which was always ready to throw Obſtacles in the way of his Deſigns. From that time the *Arminian* Party became powerful. The Heads were *Neil* Biſhop of *Wincheſter*, and *Laud* Biſhop of St. *David*'s, who found means to gain the King's Confidence, and to have the Diſpoſal of the Church-Preferments. They made the moſt of this Advantage to ſtrengthen their Party, by promoting to the *Benefices* ſuch as were moſt bitter againſt the *Calviniſts*, that's the Name that began now to be given to thoſe who embraced *Calvin*'s Opinion concerning *Grace*, whether *Presbyterians* or *Church-of-England*-Men. There were then three principal Cauſes of the Animoſity of the Court and its Friends, againſt the *Presbyterians*. 1640.

The Calviniſts *and* Presbyterians *hated by the Court.*

The Firſt was, that they rejected the *Eccleſiaſtical Hierarchy*.

The Second, that they were entirely againſt the King's Deſign to ſtretch his Prerogative, well knowing the more Power he had, the more ſhould they be perſecuted.

The Third, that they were all *Calviniſts* as to Matters of *Grace*. Though the King had not, it may be, altered his Opinion about that Subject, he deſerted however the *Calviniſts*, becauſe they were in other Reſpects, for the moſt part, *Presbyterians* and *Puritans*. From that time the Court and their Agents reckoned in the Number of the *Puritans*, thoſe who refuſed to conform themſelves to the Church of *England*, all the *Calviniſts*, *Presbyterians*, or others, all thoſe who oppoſed the King's Deſigns with regard to the Prerogative, and they were all under the Name of *Puritans*, equally obnoxious to the Hatred of the King and his Miniſters. So by this Policy abundance of People who had no Inclination for *Preſbyterianiſm*, were made to become *Puritans*. At leaſt, they

1640. they were forced to side with the *Puritan*-Party, to hinder the Court, on pretense of destroying *Puritanism*, from setting up by degrees an Arbitrary Power, which would have been fatal to the whole Nation. For the King pretended that his Will could not be opposed but upon *puritanical* Principles.

The Presbyterian-Party is persecuted.

The Reign of *Charles* I. was still more violent in this respect, than that of *James*, as has been seen in the former Part. *Laud* being made Bishop of *London*, and afterwards Archbishop of *Canterbury*, and one of the King's prime Ministers, used all his Industry and Credit to humble the *Puritan*-Party, that is to say, not only the *Presbyterians*, but also the *Calvinists*, and such who would not patiently yield their Necks to the Yoke of Servitude. *Matthew Wren* Bishop of *Norwich*, and afterwards of *Ely*, the Bishop of *Bath* and *Wells*, *Cosins* Dean of *Durham* *, seconded him in this Design, being of the same Principles with him. And as if the difference between the Church of *England* and *Presbyterianism* had not been visible enough, they made it their Business to add to the Worship sundry Innovations, and represent as absolutely necessary, Things indifferent, which Religion might well have been without. Hence Pretenses were found to persecute the *Puritans*, by reckoning among that Party, all those to whom the Court was pleased to give that Name.

The Persecution of the Puritans is looked upon as an Artifice of the King's to arrive at despotick Power.

The wisest Part of the Nation had long since perceived the King's and the Court's Policy, and their Artifices to pave the way to Arbitrary Power. But it had not been possible to avoid the Effects, because the King had dissolved the Parliament the Moment they were bent to examine the *Grievances*. Thus the Regal Power had gained Ground by degrees, no one being in a Capacity to hinder its Progress. But as soon as the King's Affairs had taken a new turn, by the entrance of the *Scots* into *England*, and the taking

* *Cosins* was never Dean of *Durham*. He was Prebendary of *Durham*, and Dean of *Peterborough*.

taking of *Newcaſtle*, and when the King ſaw himſelf under an abſolute Neceſſity of calling a Parliament, the Majority of the Members reſolved not to loſe the Opportunity of aboliſhing the Perſecution introduced under the ſpecious pretenſe of ſtopping the Progreſs of *Puritaniſm*, but in reality for the better ſetting up Arbitrary Power. Above all, the *Houſe* of *Commons* conſidered the Innovations, and the Rigour wherewith People were made to obſerve them, as ſo many Artifices of the Court-Party, to attain their End the more eaſily. It muſt not therefore be thought ſtrange if the greateſt Part of the Members being united together with regard to *Grievances*, were ſo alſo with reſpect to the aboliſhing of Innovations and puniſhing the Authors, as having ſerved for Inſtruments to the King in the Execution of Deſigns relating ſolely to Religion. This is what produced the Charges againſt the Archbiſhop of *Canterbury*, againſt the Biſhops of *Ely*, *Bath* and *Wells*, and againſt *Coſins*, beſides the Brand of *Delinquents* which the *Commons* put upon a great Number of Miniſters and others, who had countenanced the Innovations. 1640.

Views of the true Presbyterians.

I have ſaid that a Majority of the Members were united as to this Point, becauſe there was not one but what conſidered it as a Branch of the Deſign to ſubject the Realm to the King's Will and Pleaſure. But among this great Number, there were real *Preſbyterians* who had more extenſive Views, and thought no doubt of altering the Government of the Church, on pretenſe of the ill uſe the Biſhops had made of their Power. Theſe, though not very numerous in the Parliament, were ſupported by a pretty great Party in the Kingdom, and particularly the *Scots*, whoſe Aſſiſtance was then abſolutely neceſſary. But they took Care not to diſcover their Intentions. They were contented at firſt to join with thoſe who only intended the Redreſs of *Grievances*, and to reſtore the Government to its natural State. They hoped as it happened indeed, that the ſtrict Examination of the *Grievances* and Innovations, would convince the

1640. the Majority of the Members of the Neceſſity of aboliſhing the *Hierarchy*, of which the Court had made ſo great uſe in the Execution of their Deſigns. They propoſed to ſhow on all Occaſions that ſhould offer, that it was next to impoſſible to reſtore the Civil Government as long as the King ſhould have in the *Clergy* of the Church of *England* a ſupport capable of laying inſuperable Obſtacles to the Reformation of the Government. For this Reaſon, on all Occaſions, the Leaders of the *Presbyterians* were the moſt forward to ſpeak againſt the *Grievances*. They aggravated chiefly thoſe which concerned the Innovations in Religion, which they openly aſcribed to the Deſign of introducing the *Romiſh* Religion. All this was done with a View to caſt upon the *Hierarchy* and Biſhops in general, the Faults and ill Conduct of ſome particular Perſons.

The other Members who were of the Church of *England*, though very much againſt the King, ſaw well enough what the *Presbyterians* were driving at. But they were kept in awe by the fear of loſing the Aſſiſtance of the *Scots*, who ſupported this Party and rendered it very conſiderable. Wherefore they durſt not diſpleaſe the *Presbyterian*-Party for fear of cauſing in the Parliament a Diviſion which muſt have been fatal to the common Cauſe, and conſequently very advantageous to the King. Beſides, the Men I am ſpeaking of did not believe the *Hierarchy* to be abſolutely neceſſary in the Church, or that Religion could not ſubſiſt without Biſhops. None but the *rigid* Epiſcopalians and the King's Party were of this Opinion, but they made not a Majority. Thoſe then who had only the Reforming of the Civil Government in view, without meddling with that of the Church, could not however, without great Inconveniencies, help having ſome Condeſcenſion for the *Presbyterians*, for the Reaſons juſt mentioned. Perhaps they had no other View in their Policy but to gain Time, till the Civil *Grievances* were redreſſed, without any Deſign to go any farther. But they had

had to deal with very able Heads, who knew how to make them run greater Lengths than they had at firſt intended. 1640.

The Biſhops are attached more and more to the King.

On the other Hand, the Biſhops were far from being ignorant of the *Presbyterians* Drift, and that in leſſening the King's Power, their Intent was to render him unable to oppoſe the Change they were meditating. Wherefore they ſtuck the faſter to the King's Intereſt, and often by the Number of their *Voices*, managed it ſo that the *Upper-Houſe* voted directly contrary to the Reſolves of the *Lower*. But by that they gave the *Presbyterians* a conſiderable Advantage. For theſe laſt took occaſion from thence to repreſent how advantageous it was for the King to have at his Devotion ſo great a Number of *Voices* among the Lords, aud conſequently, how impoſſible it would be to ſucceed in the Reſtoration propoſed, as long as the Biſhops had Votes in the *Upper-Houſe*. This led them at length to bring in a *Bill* for the Excluſion of all Eccleſiaſticks from Civil Employs, and the Biſhops in particular, from a Right of ſitting in the *Houſe* of Lords.

Views of the Politicians.

Thoſe who had only in view the reſtoring the Civil Government, without meddling with the *Hierarchy*, and whom I ſhall call the *Politicians*, though I don't know that they were ever termed ſo, were very much at a Loſs. They plainly ſaw that ſundry Abuſes had crept into the Church, and would have readily agreed to their Abolition, provided nothing more had been required. But it was propoſed to them to go one Step farther, and exclude the Biſhops from the *Upper-Houſe*, in which they ſaw ſeveral Inconveniencies, with regard to the Intereſt of the Church of *England*, to which they were attached. Though the *Presbyterian*-Party diſcovered not themſelves all at once, and ſeemed to have no other View than to facilitate the Redreſs of all Abuſes after the Excluſion of the Biſhops, it was eaſy to perceive however, that their Projects reached farther, and that their Aim was to undermine the *Hierarchy*. It

1640. is certain the rejecting of, was almoſt as inconvenient as the conſenting to the *Bill*. By leaving the Biſhops in the *Upper-Houſe*, the King would be ever ſure of ſo many *Votes*. As the Lords were not ſo numerous as they have been ſince, and as ſome were abſent or otherwiſe employed, or *Roman Catholicks*, the Biſhops and the reſt of the King's Party greatly influenced the Reſolutions of the *Upper-Houſe*, as was daily experienced. Conſequently the Work of the Reformation of the Government could not but meet with great Obſtacles. On the other Hand, by rejecting the *Bill* propoſed, the *Presbyterian*-Party would be diſpleaſed, which was very conſiderable in the Kingdom, chiefly by being ſupported by the *Scots*, of whom there was great Occaſion, ſince it was by their Means that the Parliament was enabled to work effectually in the Redreſs of *Grievances*.

Queſtion by what Title Biſhops ſit in Parliament.

Then began to be debated the famous Queſtion, by what Title do Biſhops ſit in Parliament? It was not denied that they had enjoyed this Privilege ever ſince the beginning of the Monarchy; but ſome would have it, that they ſat in Parliament as Barons only, on account of the Crown-Lands granted them by the *Anglo-Saxon* Kings, for which they did Homage to the King like the reſt of the Barons. Others maintained that they had a *Seat* there as *Repreſentatives* of the *Clergy*, who could not be bound by the Laws made in Parliament, without giving their Conſent to them, according to the conſtant Maxim of the Kingdom, and the undeniable Privilege which all *Engliſh* Subjects have ever enjoyed. That the Lords gave their Conſent to the Laws, for themſelves, and the *Commons*, for all the Commons of the Kingdom, and therefore it was neceſſary that there ſhould be in the Parliament *Repreſentatives* of the *Church* and *Clergy*, otherwiſe the Maxim would be falſe, that no Man can be bound by the Laws to which he has not conſented. They added farther, that the Parliament had always been thought to conſiſt of *three Eſtates*, of which the *Clergy* had been ever conſidered

Reaſons for the Biſhops.

as

as one, from whence they inferred, that to take away from the Parliament one of the Three Eſtates it was compoſed of, would be to ſubvert the Conſtitution of the Government. 1640.

To theſe Arguments it was replied: That, ſuppoſing it were true that the *Clergy* made an *Eſtate* of Parliament by themſelves diſtinct from the reſt of the People, which was the Point in queſtion, it did not follow that the Biſhops *repreſented* the whole *Church*: That there were in the Parliament Two *Houſes*, one of the *Lords*, and the other of the *Commons*; and Two *Houſes* in the *Convocation*, the *Upper* of the Biſhops, and the *Lower* of the inferior *Clergy*, and that therefore, according to this Rule, the inferior Clergy ſhould likewiſe have *Repreſentatives* in the Parliament, that they might be deemed to give their Conſent to the Laws, which however no body ever pretended. Hence it was inferred, that the Biſhops did not *repreſent* the *Clergy*, and added, that this ſuppoſed *Repreſentation* was a new thing, unheard of before, and that it was but a few Months ſince that the *Clergy* would have been very angry at being counted only bare *Repreſentatives*: that though it were neceſſary that the *Clergy* ſhould be *repreſented* in the Parliament, it would not follow that they ought to be *repreſented* by the Biſhops, as all the People of *England* were not *repreſented* by the Lords. That the *Abbots* had formerly a Seat in Parliament, not as *Repreſentatives*, but as being *Tenants in chief*, and that when they were excluded, no one thought of ſaying, that a Breach was made in the Conſtitution of the Parliament, either by the Excluſion of the *Abbots*, or Diſſolution of the Monaſteries. *Reply to theſe Reaſons.*

Theſe, if I am not miſtaken, are the principal Arguments alledged for and againſt the Biſhops, with regard to their Seat in Parliament. This Queſtion was ſo much the more difficult, as it had been never determined by what Title the Biſhops ſate in Parliament. It is very probable, that from the Beginning of the Monarchy till about the End of the Reign

1640. of *Henry* III, the Parliaments consisted only of Lords who were in Possession of all the Lands of the Kingdom, for which they did Homage to the King. And indeed we see that before that time, the Lords granted to the King the Money necessary for the Support of the Government, without ever any mention of the *Commons*. It may therefore be said, that the Lords sat in Parliament by a double Title, namely, for themselves, and as Representatives of the Nation. But after the *Commons* were introduced into Parliament, and had a *House* apart, the Lords lost the last of these Titles, and sate only for themselves, the rest of the People having *Representatives* of their own. The Bishops and Abbots, who made part of the Body of the Lords, had probably their Seat too by a double Title, as Possessors of Baronies, and as *Representatives* of the *Clergy*, *Secular* and *Regular*. But as when Deputies of the *Commons* were brought into Parliament, the introducing likewise Deputies of the inferior *Clergy* was not thought of, it may be said that the Bishops and Abbots preserved their double Title to sit there, as Possessors of Baronies, and as *Representatives* of the *Clergy*. The Dissolution of the Monasteries in the Reign of *Henry* VIII, rendered needless the *Representation* of the *Regulars*, who now were no longer in Being; but it made no Alteration in the Bishop's Right, who, according to this Supposition, *represented* the *secular* Clergy, and continued to sit in Parliament though the *Abbots* were abolished. But after all it must be owned, that this same *Representation* of the secular Clergy by Bishops, is only a Supposition, which though pretty apparent, cannot be said to be so evident as to admit of no Arguments against it *. But it seldom happens that in Disputes of

* It seems to be plain that the *Clergy* never thought themselves represented by the Bishops, seeing that after the *Restoration*, when the *Convocation* dropped the Privilege of taxing themselves, the inferior Clergy had in lieu of that Privilege, a Right to vote for Members of Parliament, and so have ever since the Year 1665.

been

of this Nature Men apply themſelves ſolely to find out Juſtice and Right. Though they neglect not the Reaſons which may be drawn from the Nature of the Thing itſelf, yet they ſet themſelves much more to improve thoſe which are founded in Intereſt and Policy. 1640.

Repreſentations of the Presbyterians to the Politicians.

The Heads of the *Presbyterians* never ceaſed to repreſent to *the Politicians* the Impoſſibility of reſtoring the Government to its natural State, as long as the Biſhops ſhould ſit in the *Houſe* of Peers; that the King had found means to gain the *Clergy* to his Party, by expreſſing a great Zeal for the Church of *England*, and an extreme Averſion to the *Presbyterians*; that this ſame Clergy, and eſpecially the Biſhops, were entirely devoted to the King, in a Belief that he was their Protector and only Support; that therefore they were perſuaded he could not be too powerful, ſince this Power would be ſo advantageous to the *Clergy*; that there were convincing Proofs of this Truth in the Conduct of *Laud*, *Wren*, and ſome other Clergymen, particularly *Sibthorpe*, *Montague*, *Manwaring*, who had uſed their utmoſt Endeavours to procure for the King an unlimited Power; that the Clergy in general were ſtill the ſame way inclined, and could do for the future as much Miſchief as they had done already, if care was not taken to humble their Pride and Power, by confining them within the Bounds of their Calling.

The Politicians agree to the Excluſion of the Biſhops.

The *Politicians* granted all theſe things, and beſides, were not very well pleaſed with the Biſhops and the reſt of the Clergy. But they were loth to yield, for fear the Alteration propoſed might draw others after it in Church and State, which they did

been repreſented by the *Commons* like the reſt of the Freeholders. However Mr. *Hide*, (the Lord *Clarendon*) and others, made uſe of this Argument of the Biſhops being the *Repreſentatives* of the Clergy, in their Speeches againſt the taking away the Biſhops Voices in the Houſe of Peers; which certainly was no Argument at all, the Prelates, doubtleſs, as well as mitred Abbots, ſitting in Parliament on account of their Baronies, like the reſt of the Nobility.

1640. not care to meddle with. Nevertheleſs, after along weighing the Inconveniencies which might ſpring from their Acceptation or Refuſal, they reſolved at laſt to ſacrifice the Biſhops Right, rather than run the Risk of ſeeing all their Projects fall to the Ground, by the Obſtacles which the Biſhops might throw in their way. Whether this Reſolution was taken by the Leaders at the very Beginning of the Parliament, which I think ſomething likely, or whether it was neceſſary to uſe ſome time to prevail with the *Politicians*, thoſe who ſollicited the Thing, judged that before it came to be debated in publick, it was convenient to breed a Prejudice againſt the Biſhops in the Minds of the People, and to cheriſh that which was already entertained. The *Houſe* wanted not Opportunities to execute this Deſign. The *Bill* to take from the Biſhops their Seat in Parliament was not voted in the *Houſe* of *Commons* till the 11th of *March* 1640--1, and paſſed not the *Houſe* of *Peers* till the 27th of *May* following. But before the moving this *Bill*, the *Lower-Houſe* had taken ſeveral Steps tending to incenſe the People againſt the Biſhops. The great Number of *Petitions* againſt the Biſhops in general, againſt Epiſcopal Government, againſt ſome particular Prelates and Clergymen, againſt Innovations, againſt the late *Convocation*, ſerved them for Foundation to examine the Conduct of the Biſhops with all the Rigour their Deſign required. Several pretend that all theſe *Petitions* were begged, and I won't affirm the contrary, though I know nothing particular about this Matter*. There is no clearer Evidence of

Artifices of the Preſbyterians.

Artifice of the Commons.

* The Lord *Clarendon* ſays, their way was to prepare a *Petition* very modeſt and dutiful for the Form; and for the Matter not very unreaſonable; and to communicate it at ſome publick Meeting, where care was taken it ſhould be received with Approbation: the Subſcription of very few Hands filled the Paper itſelf, where the Petition was written, and therefore many more Sheets were annexed, for the Reception of the Number, which gave all the Credit, and procured all the Countenance to the Undertaking. When a Multitude of Hands was procured, the

of the *Commons* Deſign with regard to the Biſhops, than their Reſolution on the 20th of *November*, Seventeen Days after the opening of the Parliament, namely, that on *Sunday* the 22d of the ſame Month * every Member ſhould be obliged to receive the *Communion*, and bring with him a Ticket of his Name and the Place for which he ſerved, and that after the Communion-day none ſhould ſit in the *Houſe* but thoſe that had firſt received the *Sacrament*. This Reſolution could be with no other view, than to prevent the *Commons* from being eſteemed *Presbyterians*, and their Reſolves from being diſparaged on that Pretence. Thus in the Reign of *Henry* V, the *Houſe* of *Commons* intending to give a mortal Blow to the *Clergy*, began with paſſing an *Act* for burning *Hereticks*, leaſt the *Clergy* ſhould pretend that the *Houſe* conſiſted only of ſuch. 1640.

Proceedings of the Commons concerning Religion in 1640 *and* 1641.

To ſhow now all the Preparations that were made in the *Houſe* of *Commons*, before they proceeded in the *Bill* I have been ſpeaking of, I ſhall only briefly mention the *Petitions* that were preſented, the Speeches that were made on this Subject, and the ſeveral Reſolutions that were taken.

Ruſh. IV. p. 39.

On the 10th of *November*, Seven Days after the opening of the Parliament, Sir *Edward Deering* made a Speech in the *Houſe*, to perſuade them to enter upon Matters of Religion. He took occaſion to preſent a *Petition* from one *Wilſon* a Miniſter againſt the Archbiſhop who had ſuſpended him, and concluded with ſaying, *Our manifold Griefs do fill a mighty and vaſt Circumference, yet ſo that from every part our Lines of Sorrow do lead unto* Him, *and point at him* the Centre, *from whence our Miſeries in this Church, and many of them in the Commonwealth do flow.*

Petition itſelf was cut off, and a new one framed ſuitable to the Deſign in Hand, and annexed to the long Liſt of Names which were ſubſcribed to the former. Vol. I. p. 204.

* The Author ſays, on the Day appointed for the Faſt. but he forgot that the *Faſt* was on the *Tueſday* before, namely, the 17th, as he had noted in the Margin.

1640. Rush. IV. P. 41, 53. Nalson I. p. 518.

The same Day was read the Petition of *Peter Smart*, Prisoner in the *King*'s *Bench*, complaining of Dr. *Cosins*'s Innovations in the Church of *Durham*, and his Prosecution of the Prisoner in the High-Commission at *York*, where he was sentenced and deprived of his Living and Prebendary of *Durham*. Whereupon it was ordered that he should have Liberty to go abroad in Safe-Custody to prosecute his Petition, which was referred to a Committee who were to consider by whose Motion and Means Dr. *Cosins* was preferred to his late Dignity *. It was Archbishop *Laud* they had a mind to meet with. On the 21st Dr. *Cosins* was sent for as a *Delinquent* by the Serjeant at Arms.

Rush. IV. P. 55.

The same Day Sir *Edward Deering* made a Speech, complaining that there was a bitter *High-Commission* worse than the *Popish Inquisition* set up in *England*; that the Archbishop of *Canterbury* affected the Title and Power of a *Patriarch*, and acted like a Sovereign; that he allowed of the Impression of Books in favour of *Popery*, of which he named several, and refused the same License for printing Orthodox Writings. He moved that there might be a Committee to inquire into the great Number of oppressed Ministers under the Bishop's Tyranny, [for Ten Years last past] and to examine the Licences granted for bad Books, and refused for good Books.

On the 28th the Town of *Banbury* presented a *Petition* against Innovations.

On the 30th it was reported from the Committee for Mr. *Wilson*'s Petition, that he had been sequestred Four Years from his Living, only for not reading the *Book of Sports* on the *Lord*'s-*Day*: That after he was absolved, he was prosecuted for not reading the Prayer commanded to be read by the Archbishop against the *Scots*.

On the 1st of *December* was read a *Bill* for Reformation of Abuses in Ecclesiastical Courts.

3

Three

* Deanry of *Peterborough* and not *Durham*. Rush. IV. p. 64.

Three Days after, the *Houſe* received a *Petition* from Two of the Inhabitants of *Cheſter*, complaining of their having been inhumanly treated by the *High-Commiſſion* at *York*, for viſiting Mr. *Pryn* when he was going to his Priſon in *Carnarvan*-Caſtle. Upon this *Petition* the *Houſe* appointed a numerous Committee to examine the Juriſdiction of the Two Commiſſions of *Canterbury* and *York*, and the Abuſes committed in the Courts. 1640.

On the 9th a Committee was appointed to examine the Proceedings of the late *Convocation*, and conſider of the Convocation-*Writs*, whether they were the ſame with the *Writs* of former Times, and the Opinions that the Judges gave in that Buſineſs, and enquire how and by whom the Commiſſion that enabled the Clergy to give and take the new Oath was withdrawn.

On the 11th, the *Houſe* received a *Petition* ſubſcribed by a great Number of the Inhabitants of *London* and ſeveral Counties, containing Twenty-eight *Grievances* againſt Epiſcopal Government, the Subſtance whereof was as follows:

The London *Petition againſt Biſhops, containing* 28 *Grievances.* Ruſh. IV. p. 93. Nalſon I. p. 583.

1. *Grievance.* The Biſhops ſubjecting and enthralling all Miniſters under them and their Authority, and ſo by degrees exempting them from the Temporal Power.

2. The Faint-heartedneſs of Miniſters to preach the Truth of God, and oppoſe the Progreſs of *Arminianiſm*, leſt they ſhould diſpleaſe the Prelates.

3. The Encouragement of Miniſters to deſpiſe the Temporal Magiſtracy, and to live contentiouſly with their Neighbours, knowing that they, being the Biſhop's Creatures, ſhall be ſupported.

4. The Reſtraint of many godly and able Men from the Miniſtry, and thruſting out of many Congregations their Miniſters, becauſe they could not in Conſcience ſubmit unto, and maintain the Biſhops needleſs Devices.

5. The

1640. 5. The ſuppreſſing of the buying of Impropriations, and placing of able Miniſters in them.

6. The great Increaſe of ſcandalous Men in the Miniſtry, who, if they but wear a Canonical Coat, a Surplice, a Hood, and bow at the Name of Jeſus, think they have fully diſcharged their Duty.

7. The Diſcouragement of many from bringing up their Children in Learning; the many Errors and ſtrange Opinions which were in the Church; great Corruptions in the Univerſities; the want of preaching Miniſters in many places; the loathing of the Miniſtry, and the general Defection to all manner of Prophaneneſs.

8. The ſwarming of laſcivious and unprofitable Books, in Diſgrace of Religion; as namely, *Ovid's Fits of Love*, *The Parliament of Women*, &c.

9. The hindering of godly Books to be printed; the blotting out or perverting in thoſe which they ſuffer, whatever ſtrikes either at Popery or *Arminianiſm*; the adding of what pleaſeth them, and the Reſtraint of re-printing Books formerly licenſed, without re-licenſing.

10. The publiſhing of Popiſh, *Arminian*, and other dangerous Books and Tenets; as namely, *That the Church of* Rome *is a true Church, and in the worſt Times never erred in Fundamentals; that the Subjects have no Propriety in their Eſtates; but that the King may take from them what he pleaſeth; that all is the Kings, and that he is bound by no Law*, &c.

11. The Growth of Popery, and Increaſe of Papiſts, Prieſts and Jeſuits; the frequent venting of Crucifixes and Popiſh Pictures both engraven and printed, and the placing of ſuch in Bibles.

12. The Multitude of Monopolies, and Impoſitions upon all kinds of Commodities, *&c.* *

13. The

* How could Monopolies be a Conſequence of Epiſcopal Government?

13. That the Church-Government in *England* was upheld the ſame way as in the *Romiſh* Church. Hence it was that the Prelates maintained, That the Pope is not Antichriſt, and forbad praying in the Church for the Converſion of the Queen. 1643.

14. The great Conformity of Veſtures and Ceremonies with thoſe of the Church of *Rome*. *

15. The ſtanding up at the *Gloria Patri*, and at the reading of the Goſpel; praying towards the *Eaſt*; the bowing at the Name of *Jeſus*; the bowing to the Altar; towards the *Eaſt*; Croſs in Baptiſm; the kneeling at the Communion.

16. The turning of the Communion-Table Altar-wiſe; the ſetting Images and Tapers upon them; the reading of the Second Service at the Altar, which they termed the *Mercy-Seat*; the forcing People to come up thither to receive the Sacrament.

17. The conſecrating of Churches, Chapels, Fonts, *&c.* and the re-conſecrating of them upon pretended Pollution.

18. The Liturgy for the moſt part taken out of the *Romiſh* Breviary, and the Book of Ordination framed out of the *Roman* Pontifical.

19. The Multitude of Canons; abuſe of Excommunication; denying of Appeals; the Canons of the laſt Synod.

20. Plurality of Benefices; prohibiting of Marriages without Licence at certain times, and licenſing of Marriages without Banes asking.

21. Profanation of the Lord's-Day, the ſuſpending and depriving Miniſters for not reading a Declaration for tolerating Sports on that Day.

22. The preſſing of the ſtrict Obſervation of the Saints Days, and drawing great Sums of Money out of Mens Purſes for giving them leave to work on them.

23. The

* They were moſt offended at the Surplice.

1640. 23. The great increaſe of Adulteries, *&c.* occaſioned by the Prelates corrupt Adminiſtration of Juſtice in ſuch Caſes, who taking upon them the Puniſhment of it, do turn all into Moneys for the filling of their Purſes.

24. The general Abuſe of Excommunication, which was inflicted for trivial Matters; and the Abſolution whereof could not be obtained without Money, *&c.*

25. The Prelates claiming their Office and Juriſdiction to be *Jure Divino*; their taking upon them temporal Dignities, *&c.*

26. The forcing People to take Commiſſions out of their own Courts.

27. The impoſing of Oaths upon Church-Wardens and Sideſmen, which they cannot take without Perjury (*a*).

28. The great abuſe of Eccleſiaſtical Courts, and the Biſhops Uſurpations.

This *Petition* ended with ſome Conſiderations, the laſt whereof was, that the Biſhops being the Cauſe of the War with *Scotland*, this War could not be terminated but by the Suppreſſion of Epiſcopacy.

Next Day, ſeveral Miniſters were declared *Delinquents*, for introducing Innovations into the Church, and a Committee was appointed to examine the Complaints exhibited againſt the Biſhop of *Bath* and *Wells*.

On the 15th, the *Houſe* proceeded to take into Conſideration the new Canons of the late *Convocation*, and voted what has been ſaid above. After that, *Laud* was accuſed, and *Wren* obliged to give Bail.

1640 1. On the 11th of *January* 164$\frac{0}{1}$, *Petitions* were preſented from four ſeveral Counties againſt the *Hierarchy*.

On

(*a*) This refers to an Oath appointed by the Biſhop of *Winchester*.

On the 16th, a Complaint was brought to the Lords *, againſt a *Conventicle* held in the Pariſh of St. *Saviour*'s in *Southwark*, where at leaſt Sixty Perſons were taken up, who upon being asked why they did not reſort to their Pariſh-Church, according to the Law of the 35th of *Elizabeth*, made Anſwer, that the Law of *Elizabeth* was not good, for that it was made by the Biſhops *1. The Lords contented themſelves with ordering that *Divine Service* ſhould be performed as appointed by the Acts of Parliament; and that the Miniſters ſhould forbear to introduce any Innovations. 1640-1.

On the 19th, the City of *Glouceſter* preſented a *Petition* againſt the Biſhops.

On the 23d was read a *Petition* of ſeveral Miniſters, in behalf of themſelves and many others their Brethren, praying a Redreſs of certain Irregularities in the Government of the Church. To which was annexed a Remonſtrance, ſetting forth theſe pretended Irregularities, and the great Revenues, and the little uſe of *Deans* and *Chapters*.

All theſe *Petitions*, which were very graciouſly received by the *Houſe* of *Commons*, being plain Indications that the *Houſe* had ſome ill Deſign againſt the Biſhops, his Majeſty ſent for both *Houſes* to attend him at the *Banquetting-Houſe* at *Whitehall*, where he made the following Speech.

My LORDS, *and You the Knights, Citizens, and Burgeſſes.*

The King's Speech to the Parliament. Jan. 25. Ruſh. IV. p. 154. Nalſon. I. p. 735.

" THE principal Cauſe of my coming here at " this time, is by reaſon of the ſlow Proceed- " ings in Parliament, touching which is a great deal " of Inconvenience. Therefore I think it very ne- " ceſſary

* The Paper was firſt delivered to the King, and recommended by him to the Conſideration and Juſtice of the Houſe of Peers.

*1 They ſaid likewiſe, *They ought not to obey the King but in Civil Things.* Ruſh. IV. p. 144.

1640-1. "ceſſary to lay before you the State of my Affairs "as now they ſtand, thereby to haſten (not interrupt) "your Proceedings.

"Firſt I muſt remember you, that there are two "Armies in the Kingdom, in a manner maintained "by you, the very naming of which doth more "clearly ſhew the Inconveniencies thereof, than a "better Tongue than mine can expreſs. Therefore "in the firſt Place I ſhall recommend unto you the "quick diſpatch of that Buſineſs. In the next Place, "I muſt recommend unto you the State of my Navy "and Forts; the Condition of both which is ſo well "known unto you, that I need not tell you the Par-"ticulars, only thus much; they are the Walls and "Defence of this Kingdom, which if out of Order, "all Men may eaſily judge what Incouragement it "will be to our Enemies, and what diſheartening to "our Friends. Laſt of all (and not the leaſt to be "conſidered) I muſt lay before you the Diſtractions "that are at this preſent occaſioned through the "Connivance of Parliament; for there are ſome "Men that more maliciouſly, than ignorantly, will "put no Difference between Reformation, and Al-"teration of Government. Hence it cometh that "Divine Service is irreverently interrupted, and Pe-"titions in an ill way given in, neither diſputed nor "denied.

"But I will enter into no more Particulars, but "ſhew you a way of Remedy, by ſhewing you my "clear Intentions, and ſome Rocks that may hinder "this good Work.

"I ſhall willingly and chearfully concur with you "for the Reformation of all Innovations both in "Church and Commonwealth, and conſequently "that all Courts of Juſtice may be reformed accord-"ing to Law. For my Intention is clearly to re-"duce all Things to the beſt and pureſt Times as "they were in the Time of Queen *Elizabeth*. More-"over whatſoever part of my Revenue ſhall be

"found

" found illegal, or heavy to my Subjects, I ſhall be " willing to lay it down, truſting in their Affections. 1640-1.

" Having thus clearly and ſhortly ſet down my " Intentions, I will ſhew you ſome Rubbs, and muſt " needs take notice of ſome very ſtrange (I know " not what Term to give them,) Petitions given in " the Name of divers Counties, againſt the preſent " eſtabliſhed Government, and of the greateſt " Threatnings againſt the Biſhops, that they will " make them to be but Cyphers, or at leaſt their " Voices to be taken away. Now I muſt tell you, " I make a great Difference between Reformation " and Alteration of Government; though I am for " the firſt, I cannot give way to the latter.

" If ſome of them have overſtretched their Power " and incroached too much upon the Temporalities, " (if it be ſo) I ſhall not be unwilling theſe Things " ſhould be redreſſed and reformed, as all other A- " buſes, according to the Wiſdom of former Times, " ſo far I ſhall go with you, nay farther, if upon " ſerious Debate you ſhall ſhew me that Biſhops " have ſome Temporal Authority, inconvenient to " the State, and not ſo neceſſary for the Govern- " ment of the Church, and upholding Epiſcopal " Juriſdiction; I ſhall not be unwilling to deſire " them to lay it down; but this muſt not be under- " ſtood, that I ſhall any way Conſent that their " Voices in Parliament ſhould be taken away; for " in all the Times of my Predeceſſors ſince the Con- " queſt, and before, they have enjoyed it; I am " bound to maintain them in it, as one of the Fun- " damental Conſtitutions of this Kingdom. There " is another Rock you are on, not in Subſtance but " in Form; yet the Form is ſo eſſential, that unleſs " it be reformed it will marr the Subſtance.

" There is a Bill lately put in concerning Parlia- " ments. The Thing I like well, to have frequent " Parliaments, but to give Power to Sheriffs and " Conſtables, and I know not whom, to uſe my " Authority, that I cannot yield unto. But to ſhew

" you

1640-1. "you that I am desirous to give you Content in "Forms which destroy not the Substance, you shall "have a Bill for this Purpose; so that it trench "neither against my Honour, nor against the anci-"ent Prerogatives of the Crown, concerning Parlia-"ments, to which purpose I have commanded my "learned Council to wait upon you, my Lords, with "such Propositions as I hope will give you Content, "for I ingenuously confess, that frequent Parliaments "are the best Means to keep up a right Understand-"ing between me and my People, which I so much "desire.

"To conclude, I have shewn you the State of my "Affairs, my own clear Intentions, and the Rocks "I wish you to eschew; in all which you may per-"ceive the desire I have to give you Content, as "you shall find also by those Ministers I have, or "shall have, about me for the effecting these my "good Intentions, which I doubt not will bring "Peace and Happiness to my Subjects, and Content-"ment to you all.

"Concerning the Conference you shall have a "direct Answer, which shall give you Satisfaction.

This Speech had not the Effect the King expected: First, because probably the Exclusion of the Bishops was already resolved, and there was nothing in the King's Speech capable of altering this Resolution. In the next Place, the great Concern the King expressed for the Bishops Right was precisely the principal Cause that made their Exclusion to be so earnestly desired. In the Third Place, the King seemed to banter the Parliament, when he said, that if they would show him that the Bishops have any Temporal Authority inconvenient to the State, he should not be unwilling to desire them to lay it down. As if the Parliament ought to have expected from the pure Condescension of the Bishops, the Reformation of an Authority prejudicial to the State, a Maxim directly

rectly contrary to the Principles the Parliament was then of. 1640-1.

Complaint against Wren *Biſhop of* Ely.

The ſame Day a Complaint was brought to the *Commons* againſt *Matthew Wren*, for his having, whilſt Biſhop of *Norwich*, by Oppreſſions, Innovations, and requiring certain Oaths, compelled above fifty Families of that City to withdraw out of *England*.

Grimſton's *and* Selden's *Arguments.* Ruſh. IV, p. 165.

On the 1ſt of *February* the *Commons* examined [Part of] the *London*-Miniſters *Remonſtrance* againſt the Biſhops. In the Debate upon this Subject ſome ſmart Repartees paſſed between Mr. *Grimſton* and Mr. *Selden*. Mr. *Grimſton* argued thus: *That Biſhops are* Jure Divino, *is a Queſtion*; *That Archbiſhops are not* Jure Divino, *is out of Queſtion. Now that Biſhops which are queſtioned whether* Jure Divino, *or Archbiſhops which out of Queſtion are not* Jure Divino, *ſhould ſuſpend Miniſters that are* Jure Divino, *I leave to you to be conſidered.* To which Mr. *Selden* anſwered, *That the* Convocation *is* Jure Divino, *is a Queſtion*; *That Parliaments are not* Jure Divino, *is out of Queſtion: That Religion is* Jure Divino, *there is no Queſtion. Now, Sir, That the Convocation which is queſtionable whether* Jure Divino, *and Parliaments which out of Queſtion are not* Jure Divino, *ſhould meddle with Religion, which queſtionleſs is* Jure Divino, *I leave to your Conſideration*

I own theſe two Arguments ſeem to me to be of equal Strength. The firſt ſuppoſes that for the particular Act of ſuſpending a Miniſter, an Authority derived from God is neceſſary, a Suppoſition natural enough. The other ſuppoſes that there is occaſion for the like Authority, to empower any one to meddle in the Affairs of Religion, a Suppoſition which to me appears a little too general, and which ſhould be reduced to particular Acts to render this Argument like the firſt.

1640-1. On the 5th, upon the Complaint of the Inhabitants of *Wood-Church* in *Kent* againſt Mr. *Bowen* their Miniſter, who being alſo a Juſtice of Peace, had by Colour of that Office done ſeveral Things contrary to the Laws, the *Houſe* ordered that the Lord-*Keeper* ſhould be deſired to leave out the *Clergy* of *England* and *Wales* at the renewing of the *Commiſſion of the Peace.*

Nalſon, I. p. 670. Ruſh. IV. p. 170.—187. On the 8th and 9th, the *Houſe* reſumed the Debates concerning the Biſhops, and many Speeches were made for and againſt them; but they are too long to be inſerted here. I ſhall content my ſelf with obſerving, that although the Buſineſs in Hand ſeemed to be only to know whether the Biſhops ought to be excluded the *Houſe* of Peers, yet the Arguments againſt them tended much farther, even to the entire Abolition of Epiſcopacy.

I ſhall remark alſo, that among thoſe who ſpoke for the Biſhops, there was not one but what granted the Prelates had made an ill uſe of their Power. But they maintained that their perſonal Faults might be puniſhed and prevented for the future, without its being neceſſary to ſtrike at Epiſcopacy itſelf. The Adverſaries of the Biſhops intimated on the contrary, that there was no reforming Epiſcopacy, but by changing the Government of the Church. They ſaid, as long as there were Biſhops there would be ſo many Tyrants, who would think more of eſtabliſhing their Grandeur than of the People's Salvation. Unluckily they had but too many Inſtances to confirm their Opinion. The Lord *Falkland*, who ſpoke that Day againſt the Biſhops, ſaid among other Things:

A Paragraph out of the Lord Falkland's *Speech againſt Biſhops.* Feb. 9. Ruſh. IV. p. 184. Nalſon, I. p 650.

We ſhall find them to have tythed Mint and Aniſe, and have left undone the weightier Works of the Law; to have been leſs eager upon thoſe who damn our Church, than upon thoſe, who upon weak Conſcience, and perhaps as weak Reaſons (the diſlike of ſome commanded Garment, or ſome uncommanded Poſture) only abſtained from it. Nay, it hath been more dangerous for Men to go to ſome Neighbour's

Neighbour's Pariſh, when they had no Sermon in their own, than to be obſtinate and perpetual Recuſants; while Maſſes have been ſaid in Security, a Conventicle hath been a Crime; and which is yet more, the conforming to Ceremonies hath been more exacted than the conforming to Chriſtianity; and whilſt Men for Scruples have been undone, for Attempts upon Sodomy they have only been admoniſhed. 1640-1.

The Oppoſition which the Enemies of Epiſcopacy met with in the Execution of their Deſigns, was ſtrong enough to retard it, but was not capable to make them lay it aſide. What they had juſt done was properly but an Effort in order to be able to take more effectual Meaſures hereafter. They were contented therefore with having prevailed with the *Houſe*, that the *Petition* of the Inhabitants of *London* ſhould be taken into Conſideration, contrary to the Opinion of thoſe who would have had it thrown out without reading. Beſides, what had been ſaid on this occaſion againſt the Biſhops, promoted the Execution of the Project to take away their Votes in the *Houſe* of Lords, which moſt of the *Commons* had already reſolved in private. They continued therefore to receive *Petitions* againſt Epiſcopacy and to take ſeveral Steps tending to inſpire the People with an Averſion for the Biſhops and the reſt of the Clergy.

The 13th of *February*, a Bill was brought in for aboliſhing Superſtition, in the Suppoſition that Biſhops had introduced into the Church ſundry ſuperſtitious Practiſes.

The 1ſt of *March* the *Commons* appointed a Committee to prepare Reaſons to be offered to the Lords, about putting all Clergymen in *England* and *Wales* out of the Commiſſion of the Peace. Ruſh. IV. p. 102. Ibid. p. 206.

The 9th, it was moved in the *Houſe* that a *Bill* be drawn againſt *Pluraliſts* [and *Non-Reſidents.*] *Votes of the Commons againſt the Biſhops.*

The ſame Day were preſented from the Committee for the Miniſters *Remonſtrance* againſt the Biſhops, three Heads for the Debate and Conſideration of the Ruſh. IV. p. 206. Nalſon, I. p. 708.

1640-1. *House.* The First concerned their *Secular Employments*, namely, their Legislative and Judicial Power in Parliament; their Judicial Power in the *Star-Chamber*, and Commissions for the Peace; their Employment as Privy-Counsellors, and Temporal Offices. The Second related to their *sole Power in Ecclesiastical Things*, as Ordination and Censures. The Third concerned the Greatness of the Revenues of *Deans* and *Chapters*, the little use of them, and the Inconveniencies thence arising. The *House* having debated upon the first of these Heads, came to these Resolutions:

I. That the Legislative and Judicial Power of Bishops in the *House* of Peers is a great Hindrance to the Discharge of their Spiritual Function, prejudicial to the Commonwealth, and fit to be taken away, and that a *Bill* be drawn to that Purpose.

II. That for Bishop, or any other Clergymen, to be in the Commission of the Peace, or to have any Judicial Power in the *Star-Chamber*, or in any Civil Court, is a great Hindrance to the Discharge of their Spiritual Function, and prejudicial to the Commonwealth, and fit to be taken away; and that a *Bill* be brought in to that Purpose.

Doctor Pocklington's Books ordered to be burnt. Rush. IV. p. 208.

The same Day, the Lords ordered to be burnt two Books written by Doctor *Pocklington*, intitled, *Sunday no Sabbath*, and *Altare Christianum.*

The 15th the *Commons* sent up to the Lords Articles against Doctor *Cosins*, who was accused of introducing into the Church of *Durham* divers Innovations tending to restore *Popery.*

The 21st of *April*, *Petitions* against the *Hierarchy* were presented by *Nottinghamshire* and *Lancashire.*

Rush. IV. p. 35. Nalson. I. p. 728.

The 26th of the same Month was read [a Second Time] a *Bill* for punishing and fining the Members of the late *Convocation.* The Archbishop of *Canterbury*'s Fine was of Twenty Thousand Pound. There were others of Ten Thousand Pound, of five Thousand, three Thousand, two Thousand, and the

leaſt of a Biſhop was of a Thouſand. The reſt of the Members were rated, each in Proportion to his Eccleſiaſtical Revenues *. 1640-1.

The ſame Day was read a *Bill* for regulating Abuſes in Eccleſiaſtical Courts.

It was evident that the *Commons* were upon making ſome great Reformation in the Eccleſiaſtical State, and very probably the *Deans* and *Chapters* were to be attacked the firſt, becauſe their uſe did not appear to be ſo manifeſt. For this Reaſon, Doctor *Hacket* deſired leave to ſpeak before the *Houſe* on the behalf of *Deans* and *Chapters*, which was granted him. But after he had done, Doctor *Burgeſs* was permitted alſo to anſwer his Reaſons. The two Univerſities preſented likewiſe *Petitions* to the *Houſe* on the ſame Account, but to no manner of Purpoſe.

At laſt, the *Bill* againſt the Biſhops and Clergy exerciſing *Temporal Juriſdiction* paſſed in the *Houſe* of *Commons*, and was ſent up to the Lords for their Concurrence. But this *Bill* meeting with great Oppoſition in the *Houſe* of Peers, who put off the Debate from Day to Day, the *Commons* had cauſed a new *Bill* to be brought into their *Houſe* for the taking away of Archbiſhops, Biſhops, Deans, Archdeacons, *&c.* which was read the firſt Time. Whilſt they were debating whether it ſhould be read again or laid aſide, a Meſſage came from the Lords, ſignifying that they were ready to concur with them as to the former *Bill*, except only taking away the Biſhops Votes in Parliament. But the *Commons*, without taking any notice of this Offer, ordered the new *Bill* to be read a ſecond Time. May 3. Ruſh. IV. p. 240. p. 278.

The ſecond of *June*, at a Conference between the two *Houſes*, the Lords gave Reaſons why they did not judge it unlawful for the Biſhops to ſit in Parliament, Ruſh. IV. p. 280.

* The Reader may ſee the Draught of the intended Fines at large in *Ruſhworth*, Vol. IV. p. 235.

1640 ment, alledging that for their Right to Vote there, they conceived by the Common and Statute Law, and ancient Practice there was no queſtion of it. As for any Inconveniencies, they did not yet underſtand any ſuch as might induce them to deprive the Biſhops and their Succeſſors of their Right. But for removing them from the *Star-Chamber*, Council-Table, or any Office in ſecular Affairs, they would fully concur with the *Commons*.

Ibid. p. 281. Next Day, Heads for a Conference with the Lords were reported, containing nine Reaſons why Biſhops ought not to have Votes in Parliament *.

Reaſons why Biſhops ought not to have Votes in Parliament. Id. p. 281.

" 1. Becauſe it is a great Hindrance to their Miniſterial Function.

" 2. Becauſe they do vow and undertake at their Ordination, when they enter into holy Orders, that they will give themſelves wholly to that Vocation.

" 3. Becauſe Councils and Canons in ſeveral Ages, do forbid them to meddle in ſecular Affairs.

" 4. Becauſe the Twenty-four Biſhops have Dependance on the two Archbiſhops, and take their Oath of Canonical Obedience unto them.

" 5. Becauſe they are but for their Lives, and therefore are not fit to have Legiſlative Power over the Honours, Inheritance, Perſons, and Liberties of others.

" 6. Becauſe of Biſhops Dependency and Expectancy of Tranſlation to Places of greater Profit.

" 7. That the ſeveral Biſhops have of late much encroached upon the Conſciences and Liberties of the Subject; and they and their Succeſſors will be much encouraged ſtill to encroach; and the Subject will be much diſcouraged from complaining againſt

* To theſe Reaſons there was ſoon an Anſwer in Print, called, *An Abſtract*, &c. (ſaid to be done by the Archbiſhop of *York*,) and to that preſently came forth a Reply. To which the curious Reader is referred. *Ruſh.* I. *p.* 282.

" againſt ſuch Encroachment, if Twenty-ſix of that 1640-1.
" Order be to be Judges upon that Complaint. The
" ſame Reaſon extends to their Legiſlative Power in
" any Bill to paſs for the Regulation of that Power,
" upon any emergent Inconveniency by it.

" 8. Becauſe the whole Number of them are in-
" tereſted to maintain the Juriſdiction of Biſhops;
" which hath been found ſo grievous to the three
" Kingdoms, that *Scotland* hath utterly aboliſhed
" it.

" 9. Becauſe the Biſhops, being Lords of Parlia-
" ment, it ſettleth too great a diſtance between them
" and the reſt of their Brethren in the Miniſtry;
" which occaſioneth Pride in them, Diſcontent in o-
" thers, and Diſquiet in the Church.

" And as to their having Votes a long Time, the
" Anſwer is, if it be inconvenient, Time and Uſage
" are not to be conſidered with Law-makers: Some
" Abbots voted as anciently in Parliament as Biſhops,
" yet are taken away ".

Among all theſe Reaſons the *Commons* did but juſt point at the Principal in the 6th Article, but which no Body was ignorant of, namely, that the Biſhops had been too much devoted to the King, and countenanced Arbitrary Power.

Mean while the *Commons* ordered a *Bill* to be prepared againſt the late *Convocation*, and another to aboliſh the *High-Commiſſion*.

The 7th of *June* the Lords voted for the maintaining the Biſhop's Right to ſit in Parliament.

The 11th, the Buſineſs of Epiſcopacy coming again into Debate, laſted from ſeven a Clock in the Morning, till Night *, and it was reſolved by the *Commons*, *Preamble to the Bill againſt Epiſcopacy.* Ruſh. IV. p. 283.

* In this long Debate, the Authority of that very ancient Parchment Manuſcript-Copy of the Bible in his Majeſty's Library at St. *James's*, and ſent to King *Charles* I. by *Cyrillus* Patriarch of *Alexandria*, being all written in great Capital Greek Letters, was vouched and aſſerted by Sir *Simon d' Ewes* (a great Antiquary) wherein

1640— *Commons*, that the Preamble to the *Bill* ſhould be expreſſed in theſe Words:

Whereas the Government of the Church of England *by Archbiſhops and Biſhops, their Chancellors and Commiſſaries, Deans, Archdeacons, and other Eccleſiaſtical Officers, hath been found by long Experience to be a great Impediment to the perfect Reformation and Growth of Religion, and very prejudicial to the State and Government of this Kingdom.*

Votes againſt the Hierarchy. The 15th the *Commons* voted that all *Deans, Deans and Chapters, Archdeacons, Prebendaries, Chanters, Canons*, and *Petty-Canons*, and their Officers, ſhall be utterly aboliſhed: That all the Lands taken from *Deans* and *Chapters* ſhall be employed to the Advancement of Learning and Piety, Proviſion being made that his Majeſty be no loſer in his Rents, Firſt-Fruits, and other Duties; and that a competent Maintenance ſhall be made to the ſeveral Perſons concerned, if ſuch Perſons appear not to be Delinquents. Several Speeches too long to be inſerted here, were made upon this Occaſion.

The 21ſt, the *Houſe* being reſolved into a Grand Committee to debate the *Bill* for aboliſhing Epiſcopacy, Sir *Edward Deering* propoſed, in a Speech, that there ſhould be in every *Shire* Twelve Divines and a Preſident, to whom might be given what Title they pleaſed, whether that of *Biſhop* or any other: but nothing was reſolved thereupon.

It is eaſy to perceive by what paſſed in the Parliament, during the firſt Months, with regard to the Church, that the *Commons* looked upon this Buſineſs as a capital Point, though they affected to let it go as dependent on the Deſign of reforming the Civil Government. For ſcarce a Day paſſed without ſome Debate

wherein the Poſtſcript to the Epiſtles to *Timothy* and *Titus* are only thus: *The Firſt to* Timothy, *written from* Laodicea: *The Second to* Timothy, *written from* Laodicea: *To* Titus, *written from* Nicopolis. Whence he inferred, that the ſtiling of *Timothy* the firſt Biſhop of *Epheſus*, and *Titus* the firſt Biſhop of *Crete*, were the ſpurious Additions of ſome Eaſtern Biſhop or Monk at leaſt Five Hundred Years after Chriſt. *Ruſh.* IV. p 284.

Debate directly or indirectly on this Subject. But as this was not the only Affair then in Agitation in the Parliament, it will be neceſſary to break off the Narration, in order to ſpeak of ſome other Matters of no leſs Importance. 1640—1.

The King could not but be very much diſpleaſed with the Proceedings of the *Commons*, as well in the Buſineſs of *Grievances*, as in that of *Epiſcopacy*. The two Things he had moſt at Heart, ſince the Beginning of his Reign, were the ſtretching his Prerogative, and maintaining the Church of *England* in its full Luſtre, and the Biſhops in all their Authority. Nevertheleſs, upon theſe two Points it was that the *Commons* ſeemed to affect to give him daily Mortifications, not only by their Speeches, but alſo by their *Votes* and the *Bills* they ſent up to the Lords.

Proceedings of the Commons againſt the Papiſts.

But beſides *Grievances* and *Epiſcopacy*, there was another Article, wherein the *Commons* ſhowed no great Complaiſance to the King; and that was the Buſineſs of the *Catholicks*. *Charles* trod almoſt in the King his Father's Steps; that is to ſay, he appeared to be entirely attached to the Proteſtant Religion and Church of *England*; whilſt on the other Hand, he protected and countenanced the *Papiſts*. But there was this Difference between the Father and Son; King *James*'s Religion was all along very doubtful, notwithſtanding his outward Profeſſion of the Proteſtant Religion; whereas King *Charles* was never accuſed of being a *Papiſt*, but by Men of very warm and paſſionate Tempers. However, ſeveral things induced him to favour the *Catholicks*, which gave his Enemies ſome Handle againſt him. 1. The Example of the King his Father, who, throughout his whole Reign, could never be prevailed with to put the Laws in Execution againſt them. 2. Though the *Papiſts* would not take the Oath of *Supremacy*, they refuſed not to ſwear *Allegiance*, and that was enough for him to reckon them good Subjects. 3. In the Project he had formed of keeping the Parliament under, and reducing the *Commons* not to meddle in

Reaſons why the King favoured the Papiſts.

any

1640—1. any thing but the Matter of *Supply*, the Parliament's deſiring the Execution of the Laws againſt the *Papiſts*, was ſufficient to make him take a contrary Courſe, to the End they might be uſed by degrees not to obtain every Thing by Importunity. 4. The *Catholicks* having no other Refuge but the King's Protection, it was natural for them firmly to adhere to his Perſon and Intereſt, and the King thought himſelf obliged to grant them an extraordinary Protection, in reward of their Fidelity. 5. Nothing was more grating to the *Puritans*, than to ſee the *Papiſts* well-received at Court; and as the King hated the *Puritans*, he took a Pleaſure in mortifying them by careſſing their Enemies. 6. The Queen, for whom the King had a very great Condeſcenſion, did not a little help to inſpire him with a good Opinion, if not of her Religion, at leaſt of the Profeſſors thereof. 7. Archbiſhop *Laud*, who was *Arminian*, took care not to ſtrengthen the *Calviniſtical* Party, by ſtirring up the King againſt the *Papiſts*. 8. Laſtly, *Charles* I. was naturally of an inflexible Temper, and this Quality added to his Maxims of Government, was the Cauſe that he could hardly bear to ſee whatever tended to put a Conſtraint upon his Will. Theſe are probably the Reaſons that induced the King to countenance the *Catholicks*, during the Firſt Fifteen Years of his Reign. He carried his Regard for them ſo far, that not only the *Penal* Laws enacted againſt them were never executed, but that alſo the *Papiſts* were looked upon at Court as the beſt Subjects, whereas the *Puritans* were conſidered as Enemies to the King and State.

The Face of Affairs being changed by the calling of the Parliament, and the King being no longer in Condition to protect the *Papiſts*, they were treated ſomewhat roughly. It was ſuppoſed that there was a ſettled Deſign to introduce *Popery*, and that ſeveral Biſhops and other Clergymen were in the Plot. The Archbiſhop of *Canterbury*, the Biſhops of *Ely* and of *Bath* and *Wells*, Dr. *Coſins*, Secretary *Windebank*, and ſome

ſome others, were accuſed of being chiefly concerned in this Affair, which was openly hinted to be managed by the Queen and her Confidents. Though this Charge went, it may be, too far with Reſpect to the private Perſons, it can hardly be denied, that they gave ſome Ground for it by their Proceedings. Their Hatred to the *Presbyterians* made them not ſcruple to come too near *Popery*, in order to be at a greater Diſtance from *Presbyterianiſm*. This, if I am not miſtaken, was the true Cauſe of all the Innovations introduced into the publick Worſhip, and of the inviolable Attachment to the Obſervance of certain indifferent or needleſs Cuſtoms and Ceremonies. The chief Aim of the Governours of the Church was to widen continually the Difference between *Presbyterianiſm* and the Church of *England*. But this Policy, which was beneficial to the Enemies of the *Puritans*, as long as the King ruled with an abſolute Power, turned to their Prejudice entirely, becauſe in this Parliament they were accuſed of having had more ſecret Deſigns; in a word, of having intended to introduce *Popery*, and the Puniſhment of the Faults committed by ſome hot and paſſionate Perſons, was made to fall on the whole Church. 1640—1.

In whatever the Parliament did againſt the *Papiſts*, the King had properly nothing to ſay. He could not deny that there were Laws againſt *Recuſants*, and that theſe Laws had not been executed, though he had ſeveral times ſolemnly promiſed to ſee it done. It was no longer a proper Seaſon to protect them openly. And therefore he iſſued out Proclamations enjoining the Execution of the Laws, in order to content the Parliament. But theſe Proclamations were drawn ſo artfully, that they properly granted nothing of what they ſeemed to promiſe. Eſpecially, the Parliament could never prevail with the King to let the condemned Prieſts be executed, whether the King could not bring himſelf to cauſe Sentences to be put in Execution which he believed too rigorous, or the Queen's Sollicitations had a greater Influence

1640—1. upon him than those of the Parliament. Let us see now what passed of most Moment with regard to the *Catholicks*, during the first Seven or Eight Months of this Session.

Report of the Committee concerning the Proclamation against Recusants. Rush. IV. p. 65.

In the Beginning of the Parliament, the King having published a Proclamation against *Recusants*, the Committee, charged with the examining of it, reported that it was not according to [his Majesty's Intentions, or] the Expectation of the *House*, for the following Reasons:

1. In the Clause where the Proclamation commands all *Popish Recusants* within Fifteen Days to depart the City, it is added, *Without special Licence had thereunto*: So that if by any means they can obtain any Licence from his Majesty (which the Committee thinks they cannot) or from the Lords of the Council, Bishop, Lieutenant, or Deputy-Lieutenant, then they are not within that Clause.

2. The Order to disarm all *Recusants*, is limited to *Recusants Convict*, and being so restrained, if any be armed and not convicted, a Justice of Peace cannot disarm them.

3. *Recusants* are commanded to depart to their own Dwelling-Houses; but as of late Days there is great Resort of *Recusants* to *London* and *Westminster*, and Places adjacent, there is no urging them from thence by Law.

The Committee added, that many *Recusants* had *Letters of Grace* to protect their Persons and Estates.

Rush. IV. p. 68, 69, 70.

In the Continuation of this Report a few Days after, the Committee said, That upon the Examination of the Keepers of Two Prisons only, *Newgate* and the *Clink*, they found Sixty-four Priests and Jesuits discharged in one Year, some by Privy-Signet, others by Warrant from the Lords of the Council, but most of them by Warrants from Secretary *Windebank*, without any mention of the King's Pleasure: That upon Examination of the Clerk of the Peace for *Middlesex*, and the Clerk of the Crown in the *King's-Bench*, it was found that within the Compass of Seven

Seven or Eight Years there had been Seventy-four *Letters of Grace* *. Then they deſcended to particular Circumſtances concerning the Diſcharge of ſeveral Perſons condemned for Treaſon, all by the Order of *Windebank*: They ſaid moreover, that they had diſcovered Sixty-four *Letters of Grace* to ſtay the Proſecution againſt *Papiſts*, directed to ſeveral Counties and Judges. It was added, that indeed the King had Power to pardon the condemned: but to command no further Proſecution was contrary to Law. 1640—1.

The 30th of *November* the *Commons* deſired the General of the Army to diſmiſs all *Popiſh* Officers *1, and moved his Majeſty that all Commanders and other Officers in any Town or Garriſon that were *Papiſts* might be removed. The King anſwered, he knew of no *Papiſt* that had the Command of any Place, but however had given Orders to be more particularly informed. Ibid. p. 67. p. 73.

The 1ſt of *December* the *Houſe* ordered the preparing of a Remonſtrance to his Majeſty concerning the Pope's [pretended] *Nuncio*. This was Count *Roſetti* who exerciſed in *England* the Functions of *Nuncio*, under colour that it was neceſſary to the Queen for Matters of Conſcience. p. 71.

The 5th the *Houſe* ſent an Order to all the Juſtices of Peace of *Weſtminſter*, *London* and *Middleſex*, enjoining them to proceed againſt *Recuſants* according to Law, notwithſtanding any Inhibition or Reſtraint. p. 73.

In the Month of *January* following there was a ſort of Diſpute between the King and *Commons* on account of *John Goodman* a Jeſuit, who had been condemned to die, but was reprieved by the King. The *Houſes* *Buſineſs of Goodman the Jeſuit.* Ruſh. IV. p. 153, 155, 157, 158. Nalſon I. p. 739, 746.

* The Author having made ſome Miſtakes in this Paragraph, they are corrected from the Report at large in *Rushworth*, Vol. IV. p. 68. The Nature of theſe *Letters of Grace* was this, they were directed to Archbiſhops, Biſhops, Judges, and all other the King's Officers, to ſtay all Proceedings againſt the Perſons therein named. See the Report before mentioned.

*1 The General's Anſwer was, That as ſoon as poſſible he could, he would return an Anſwer in writing. *Ruſh.* IV. p. 73.

1640—1: *Houses* had several Conferences upon this Subject, and at length agreed to join in a Remonstrance to his Majesty, to move him that the Laws might be put in Execution against *Priests* and *Jesuits*, and particularly against *Goodman*. The King, who had a mind to save this *Jesuit*, alledged, That he had been condemned merely for being in Orders of a Priest, and had never been condemned or banished before. But the two *Houses* represented to him, that this Priest and Jesuit had been a Minister in the Church of *England*, and had been formerly twice committed and discharged. In short, the King replied, that if *Goodman* were put to Death, the *Protestants* abroad in *Catholick* Countries might suffer for it; but however, would leave it to both *Houses* to do as they thought fit. Next Day *Goodman* sent a *Petition* to the King, which was immediately communicated to the *House* of Lords, wherein he said, that he was content to die rather than live the Subject of so great Discontent between him and his People. As it does not appear that the Parliament insisted any more upon this Matter, it is likely the King obtained what he desired, and saved the *Jesuit*'s Life. But this sort of Victory failed not to do him some Prejudice, in that his Enemies took occasion from thence to represent that there was no depending upon his Proclamations or Promises with respect to the *Papists*, since they were never executed. It is not doubted but the Queen sollicited strongly in *Goodman*'s behalf.

Rush. IV. p. 188. The 11th of *February* 1640--1, notice being given to the *Commons* that the *Papists* were preparing to execute some great Design, and that by the Queen's Order all *Roman Catholicks* fasted every *Saturday* for the prosperous Success of the same. Whereupon an Order was made that all Judges in their Circuits should effectually put the Laws in Execution against *Priests* and *Jesuits*.

The

The 17th the *Commons* ordered the Lord-Mayor of *London* to prevent *Papiſts* from reſorting to Ambaſſadors Houſes and the Queen's Chapels. 1640—1.

The 24th the Members of the *Houſe* had Orders to bring in by ſuch a Time the Names of all *Recuſants* convict in each County.

The 2d of *June* was read in the *Houſe* of *Commons* a *Bill* for diſarming all the *Papiſts* in the Kingdom.

Proceedings of the Commons concerning the Money given by the Papiſts for the War with Scotland. Ruſh. IV. p. 160, 169.

In *January* laſt the *Commons* began to take into Conſideration the Contribution raiſed among the *Roman Catholicks* for carrying on the late War againſt the *Scots*, at the Inſtance of the Queen, who wrote a circular Letter to exhort them to it. *Walter Montague* and Sir *Kenelm Digby*, [who had writ on the ſame Occaſion to ſome of the principal of the Popiſh Party] were ſent for and interrogated upon this Buſineſs, and the *Commons* ſeemed reſolved to puſh the Matter vigorouſly. But the Queen found means to appeaſe them by a Meſſage, wherein ſhe ſaid, that ſhe was moved to raiſe Money in that manner for the King's Aſſiſtance, merely out of her tender Affection to him, and if it were illegal, ſhe was ignorant of the Law, but promiſed to be more cautious for the future. She ſaid moreover, that underſtanding the having one ſent to her from the Pope was diſtaſtful to the Kingdom, ſhe was deſirous to give the Parliament Satisfaction, and would remove him in convenient time. This convenient time was not yet come in *June* following, when the Nuncio *Roſetti* was ſtill with the Queen. But at laſt, the *Commons* having ordered him to be brought to the Bar of their *Houſe* to be examined, he hid himſelf, and on the Morrow departed for *Rome*. *Montague*, *Winter*, and Sir *Kenelm Digby* withdrew into *France*.

Queen's Meſſage to the Commons. p. 169. Feb. 5.

The Q's Confeſſor accuſed.

Father *Philips* the Queen's Confeſſor was alſo examined by the *Commons*, who afterwards brought an Accuſation againſt him to the Lords, and againſt the Superior of the *Capuchines* belonging to the Queen.

Probably,

1640—1. Probably, this Accuſation was only to frighten them and oblige them to retire.

This is all of Moment that paſſed with regard to the *Catholicks*, before the King's Journey to *Scotland*, which will be ſpoken of hereafter. It is time to return to the *Scotch* Army which we left at *Newcaſtle*.

Affairs with the Scots.

The King had flattered himſelf, that the Parliament would eſpouſe his Cauſe againſt *Scotland*, and furniſh him with means to drive the *Scots* out of the Kingdom. This was the firſt, or rather the only thing he recommended to both *Houſes* in his Speech at the opening of the Parliament. But to perceive how vain this Hope was, one need only conſider that the Leading-Men of the Party againſt the King were the Perſons that encouraged the *Scots* to enter *England*, and that this ſame Party was ſo Superiour in the Parliament, that but few of the King's Friends durſt open their Mouth to ſupport his Intereſt. It was this *Scotch* Invaſion that compelled the King to call a Parliament; and it was the ſame that enabled the Parliament to break all the King's Meaſures, and oblige him to ſuffer the Redreſs of *Grievances*. In a word, it was ſolely by the Help of the *Scots* that the Parliament had it in their Power to reſtore the Government to its former State. They would therefore have acted againſt their own Intereſt, and directly contrary to the End they propoſed, if they had ſupplied the King with Means to chace the *Scots* out of the Kingdom. Accordingly they took not one Step tending thereto. On the contrary it evidently appeared, that they conſidered the *Scots* as Brethren, who, having the ſame Intereſt as the *Engliſh*, were come to aſſiſt them, and act in concert with them.

Ruſh. IV. p. 38.

The 9th of *November*, Six Days after the opening of the Parliament, Sir *William Widdrington*, Knight of the Shire for *Northumberland*, ſpeaking concerning the Matter of a *Petition*, preſented by that County on account of the Oppreſſions they laboured under

under from the *Scotch* Army, called the *Scots, Invading Rebels.* The *Houſe* was ſo offended at the Expreſſion, that *Widdrington* eſcaped Impriſoment only by recanting, and promiſing to call them Rebels no more. Nothing was more capable of letting the King ſee how far the *Commons* were from aiding him againſt the *Scots.* But this was not the only Mark they gave of their Intention. In the firſt Place, they thought proper to give the *Scots* the Sum of Three Hundred Thouſand Pounds in reward for their brotherly Aſſiſtance to *England.* In the ſecond Place, they found means to ſpin out the Negotiation of Peace till the 7th of *Auguſt* 1641, that is to ſay, till all the *Grievances* were very near redreſſed, the *Triennial Bill* paſſed, and another that the Parliament ſhould not be diſſolved but by an *Act* for that purpoſe. All this was very remote from the Hopes the King had flattered himſelf with, that he ſhould have a ſufficient Supply to compel the *Scots* to return home. As the Troubles of *Scotland* were the Spring and Fountain of all that paſſed in this Parliament, I am perſuaded the Reader will not take it ill to ſee here a brief Account of the Negotiation of Peace between the King and the *Scots*, and between *Scotland* and *England.* What follows is the Subſtance of the Earl of *Briſtol*'s Speech to both *Houſes*, when he was pitched upon by the Lords Commiſſioners, to give them an account of what had paſſed hitherto in that Affair. 1640-1.

The Earl of Briſtol's *Relation of his Negotiation with the* Scots. Ruſh IV. p. 46.

" The Commiſſioners employed by his Majeſty " intend not to look further back into the Buſineſs, " than the Acts of their own Employments; they " intend to give no Account of the Pacification in- " terrupted, nor War renewed; no Account how " the Armies in *England*, *Ireland*, and by Sea were " deſigned; they purpoſe not to lay Fault upon " any Man, nor to enquire into the Cauſe why the " *Scots* (as they pretended from Neceſſity) were " drawn to enter this Kingdom; nor why the King's " Army, when Service was to be done, was ou' of

1640—1. " the way; but that those through whose Hands " these have passed, may hereafter give their own " Account.

" His Majesty having called his Great Council " at *York*, made to them two Propositions. The " first was, How his Army should be relieved and " maintained? To this the Lords resolved to en- " gage themselves, and to send Deputies to *London* " to negotiate a Supply. The second Proposition " was, That after the *Scots* had passed *Northumber-* " *land*, taken *Newcastle*, and possessed the Bishop- " rick of *Duresm*, they sent a Petition to his Ma- " jesty, which contained in general Terms a Desire " to have their Grievances taken into Consideration. " Upon Receipt of his Majesty's Answer, the *Sco-* " *tish* Lords sent his Majesty a second Petition, in " which they made their particular Demands, and " declared, That according to his Majesty's Com- " mand they would advance no further into *England*. " So his Majesty asked the Lords what Answer " should be made to that petitionary Letter? The " Lords replied, That it was impossible for them " to give any well-grounded Advice, unless the true " State of his Affairs, and the Condition of his Ar- " my were laid before them. Whereupon his Ma- " jesty commanded the Earl of *Traquaire* to make " the Narration of the *Scotish* Business, and their " late Acts of Parliament, and the [Earl of *Straf-* " *ford*] Lord-Lieutenant-General to give an Ac- " count in what Condition the Army stood.

" The *Scots* Army had passed *Northumberland* " without Resistance. They had disputed the Pas- " sage of the River *Tyne* at *Newburn*, where the " *English* Horse retired in Disorder. His Majesty's " Foot Army consisting of 12000 or 14000 Men in " *Newcastle*, likewise retired to *York*, whereby the " Town of *Newcastle*, a Place of great Considera- " tion, was fallen into the *Scots* Hands, and the Bi- " shoprick of *Duresm* brought under Contribution.

" In

" In this State the Gentry of the Biſhoprick re- 1640—1.
" paired to his Majeſty; from whom they were re-
" ferred to the Earl of *Strafford*, who gave them
" this Anſwer poſitively, That they could look for
" no Help nor Protection from the King, and there-
" fore they might uſe the beſt Means they could to
" preſerve their Lives and Eſtates. Whereby they
" were forced to conſent to a very heavy Contributi-
" on, tho' ſuch without which the *Scotiſh* Army could
" not ſubſiſt. This Contribution was 850 *l.* a Day
" for the Biſhoprick of *Durham*, *Northumberland*,
" and *Newcaſtle*. Theſe Gentlemen much lamented
" their Eſtates, that the *Scots* ſhould be irritated by
" being proclaimed Traytors.

" The *Scots* on the other Hand repreſented to the
" King's Commiſſioners, that being threatned with
" an Army of Thirty or Forty Thouſand Men,
" another of Ten Thouſand out of *Ireland*, and by
" Proclamation declared *Traytors* and *Rebels*; and
" having heard of another Army providing, of
" Eight or Ten Thouſand by Shipping to hinder
" their Trade, at leaſt their Commerce with *Eng-*
" *land*, that they were drawn together by Neceſſity,
" as they pretended, of Defence. They further
" alledged, that it was a common Diſcourſe, of
" which they had ſeen Papers, that they ſhould be
" reduced into a Province, which would be but one
" Summer's Work. Therefore they had drawn their
" Power together, and being aſſembled, and their
" Country poor; taking Advantage of the Time,
" while all thoſe Armies that ſhould oppoſe them
" were out of the way, they were forced to enter in-
" to *England*.

" Thus the Great Council of the Lords found
" that the *Scots* had increaſed their Confines near
" Fourſcore Miles in *England*, and had paſſed the
" Rivers of *Tweed* and *Tyne*; and that the River of
" *Tees*, the Boundary of *Yorkſhire*, was not to be de-
" fended, being fordable in many Places by Forty
" Horſe a Front. That if the *Scots* ſhould paſs

1640-1. " that River, there was no poſſibility to hinder them " from coming to *York*, without hazarding a Battle, " which the Earl of *Strafford* declared unto them he " would not adviſe, becauſe the King's Army con- " ſiſted of Troops that were untrained, and unuſed " to Arms.

" This being the Caſe, the Lords adviſed his Ma- " jeſty that the *Scots*, and their Grievances might be " heard. And whereas their Complaint had been, " that their Petitions to his Majeſty had been con- " veyed by Conduits of an evil Reliſh, that there " might be choſen ſuch Lords Commiſſioners, of " whoſe Integrity they could not doubt. The King " was pleaſed to refer the Choice of theſe Commiſſi- " oners to the Great Council: And to them Power " was given, under the Great-Seal of *England*, to " hear whatſoever the *Scots* would lay before them, " and to enter into Treaty with them.

" When this was propoſed to the *Scots* Commiſſi- " oners, they repreſented, That the Countries where " they lay were become poor; That they could not " think, as their Affairs ſtood, of returning Home; " That his Majeſty had reſtrained them from paſſing " further into *England*; ſo that a Treaty in this Exi- " gent was worſe than a War, unleſs Means might " be thought upon how they might ſubſiſt, while " the Treaty was on foot; otherwiſe they ſhould be " obliged to plunder the Country.

" The Commiſſioners having diſpatched ſome of " their Company to acquaint his Majeſty with the " *Scots* Demands, a Commiſſion was given them by " the King to treat with the *Scots* for a Maintenance, " and the Commiſſioners thought, that inſtead of " giving them any Allowance, they ſhould be left " to their Proportion of that Contribution of 850 *l.* " a Day, already agreed upon by the Counties, as " leſs diſhonourable than to aſſign them Mainte- " nance. Accordingly the Preliminaries were agreed " upon; the Treaty of Ceſſation concluded, and " the Commiſſioners adviſed his Majeſty to ratify it,

" which was accordingly done. The Parliament 1640-1.
" approaching, their Lordſhips adviſed his Majeſty
" to transfer the Treaty from *Rippon* to *London*, to
" which his Majeſty conſented.

" To excuſe the Preliminaries agreed on at *Rip-*
" *pon*, the Earl of *Briſtol* added, That it was in-
" deed hard to pay the *Scots* a Contribution of
" 850*l.* a Day, and that there was already ſome
" doubt that the Countries were not able to bear it:
" But that on the other Side it was objected by the
" *Scots*, that it was impoſſible, if the Payment ſhould
" fail, to keep their Promiſe, or to obey his Ma-
" jeſty, but that they ſhould be neceſſitated againſt
" their Will to plunder the Country. For which
" Reaſons the Earl of *Strafford* had declared, that
" the Counties of *Cumberland* and *Weſtmoreland* being
" under the *Scots* Power, it was reaſonable that in
" *Subſidium* they ſhould contribute ſome help to their
" Neighbours: But he added, that the Commiſſi-
" oners left at *Dureſm* had written, that it was im-
" poſſible for them to proceed in the Agreement,
" which if it were broken on their part, the *Scots*
" would alledge an impoſſibility to conſent to ſtarve;
" ſo that if ſome Means were not found, by which
" thoſe Counties engaged might be relieved, he was
" afraid all their Labour and Treaty would come to
" nothing. Therefore the Commiſſioners, and all
" the Lords, engaged themſelves faithfully and truly,
" to declare all theſe Things to the Parliament.

" The Earl of *Briſtol* declared further, That it was
" far from the Lord-Commiſſioners Purpoſe to
" move any Supply of Money from the Houſe of
" *Commons*, but to lay the Cauſe before them. A-
" verring certainly, That if ſome Courſe were not
" taken, the whole Kingdom would be put into
" Diſorder. Armies would not ſtarve; retiring was
" not yet in the Thoughts of the *Scots*; therefore
" they muſt plunder and deſtroy, or advance into
" *Yorkſhire*, and ſo farther into *England*, to ſeek Sub-

1640-1. " ſiſtance ; the Prevention whereof did highly im-
" port the King and Kingdom.

" Laſtly, The Earl propoſed to the Parliament a-
" nother Thing, no leſs worthy of Conſideration,
" *viz.* That if the *Scots* Army were provided of a
" Competency, it were very ſtrange there ſhould
" not an equal Care be had for maintaining the
" King's Army. He ſaid the *Scots* Army was ſtrong
" and powerful, and little other Reſiſtance againſt
" it, but the Impediments of an Army marching in
" Winter ; but whether it were fit for a King-
" dom to be truſted to Accidents of Froſts, with a
" People bred in *Swedeland* (*a*), and cold Countries,
" he left to their Diſcretion. He confeſſed, that
" the *Scots* had made great Proteſtations, and with
" great Execrations averred, that they had no In-
" tent to advance forward, but return when they
" ſhall have received Satisfaction : Yet the Commiſ-
" ſioners did not conceive that the Kingdom ſhould
" rely upon Promiſes and Proteſtations. Many Ac-
" cidents might happen, when a Nation come from
" a far Country to a better, ſhould be told the Bu-
" ſineſs they come about was juſt, and their Quar-
" rel good ; who finding themſelves in a fat Paſ-
" ture, may pick Quarrels with their Leaders, if
" they ſhould go about to prevent them. Upon
" theſe Grounds his Lordſhip preſented to the gene-
" ral Conſideration, the Supply of his Majeſty's
" Army, that it be not disbanded ; which if it
" ſhould come to paſs, *Yorkſhire*, and other Parts of
" *England* were left to the *Scots* Diſcretion. His
" Lordſhip ſaid, he durſt not ſay the *Scots* would
" not come forward, but that it was in their Power
" if they would ; and therefore he recommended
" this

(*a*) This is an Alluſion to the 6000 *Scots* ſent by King *Charles* to the King of *Sweden*, under the Command of the Marquiſs of *Hamilton*. Theſe Troops ſerved in *Germany*, and never in *Sweden*.

" this Repreſentation to the whole Body of the King- 1640. 1.
" dom, to prevent future Dangers.

There was no need of uſing many Arguments to induce the Parliament to allow that the *Scotch* Army ſhould be maintained in *England*. Upon the Earl of *Briſtol*'s Report, it was reſolved, that the *Commons* approve of the Perſons of the Lords that were Commiſſioners in the late Treaty, to be Commiſſioners now to treat with the *Scots* in this Declaration, that no Concluſion of theirs ſhould bind the *Commons*, without their Conſent in Parliament. Though the *Scotch* Army was very expenſive to *England*, the Negotiation however laſted till the 7th of *Auguſt* 1641, when the Treaty was at length ſigned. I ſhall inſert here a Summary of the Articles, that it may be ſeen, wherein conſiſted the Differences between the King and *Scots*, and the Difficulties of the Peace, and what the King's grand Project came to, of reducing the *Kirk* of *Scotland* to a perfect Conformity with the Church of *England*, and perhaps of rendering himſelf abſolute in *Scotland*, as he was very near the Matter in *England*, when he firſt formed this Enterprize.

The Subſtance of the Treaty concluded between England *and* Scotland, *the 7th Day of* Auguſt 1641.

" FIRST, the *Scots* declare, that by their treat- *Treaty*
" ing with the *Engliſh* Parliament, they do not *with* Scot-
" acknowledge any Dependence of *Scotland* upon *land.*
" *England*, &c. Ruſh. IV.

1. *The* Scot's *firſt Demand.*

" That his Majeſty would be graciouſly pleaſed
" to command that the Acts of the late Parliament
" of *Scotland*, may be publiſhed in his Majeſty's

1640-1. " Name, with Consent of the Estates of Parliament " convened by his Majesty's Authority, the 2d of " *June* 1640.

Answer.

His Majesty doth in the Word of a King, promise the publishing of the said Acts, with the Acts to be made in the next Session of the same Parliament; and that all the said Acts have in all Time coming the Strength of Laws, &c.

2*d. Demand.*

" That the Castle of *Edinburgh*, and other " Strengths of the Kingdom should be furnished, " and used for Defence and Security of the King- " dom.

Answer.

Agreed unto.

3*d. Demand.*

" That *Scotish* Men within his Majesty's Domini- " ons of *England* and *Ireland*, may be freed from " Censure for subscribing the *Covenant*, and be no " more pressed with Oaths, and Subscriptions un- " warranted by their Laws, and contrary to their " National Oath, and *Covenant* approved by his " Majesty.

Answer.

Granted with regard to the Subjects of Scotland, *who shall be Sojourners only in* England *or* Ireland. *But such shall be excepted as are settled Inhabitants in either of the two Kingdoms. The* English *and* Irish *shall have the like Privilege in* Scotland.

4*th De-*

1640-1.

4th Demand.

" That whoſoever ſhall be found upon Tryal and " Examination, by the Eſtates of either of the two " Parliaments, to have been the Authors and Cau- " ſers of the late and preſent Troubles and Combuſ- " tion; whether by labouring to make and foment " Diviſion betwixt the King and his People, or be- " twixt the two Nations, or any other way, ſhall be " liable to the Cenſure and Sentence of the ſaid Par- " liaments reſpectively, the *Engliſh* to the Parlia- " ment of *England*, and the *Scots* to that of *Scotland*.

Anſwer.

His Majeſty believeth he hath none ſuch, as Incendiaries, about him; and therefore he can make no other Declaration, than that all his Courts of Juſtice are free and open to all Men. His Parliament in this Kingdom [of England] *is now ſitting, and the current Parliament of* Scotland *near approaching the Time of their Meeting. To either of which, he doth not prohibit any of his Subjects to preſent their juſt Grievances and Complaints, of whatſoever Nature.*

And whereas it was further demanded, that his Majeſty would be pleaſed not to employ any Perſon or Perſons in Office or Place, that ſhall be judged incapable by Sentence of Parliament, his Majeſty agreeth thereto; nor will he make uſe of their Service, without the Conſent of Parliament, nor grant them Acceſs to his Perſon.

5th Demand.

" That their Ships and Goods, and all Damage " thereof may be reſtored.

Anſwer.

This is condeſcended unto, on Condition it be reciprocal. And the Scotiſh *Commiſſioners having informed, that about*

1640-1. *about fourscore Ships of* Scotland *are yet stayed in the* English *Ports, and are like to suffer much further Loss and Damage; it is agreed, That Warrants shall be presently granted for the Delivery of them, and that four Thousand Pounds be presently advanced, for helping the present setting forth of the said Ships.*

6th Demand.

"That for the Losses wich the Kingdom of *Scot-*
"*land* hath sustained, and for the vast Charges they
"have been put unto, Reparation be made.

Answer.

The Parliament of England *grants to the* Scots *for this purpose, the Sum of three Hundred Thousand Pounds.*

And whereas it was desired by the Scotish *Commissioners, that the* English *Commissioners would let them know the Security, Manner, and Terms of Payment, of the aforesaid Sum, and of the Arrears due for Relief of the northern Counties; It was agreed by Order of the Parliament, that they should have fourscore Thousand Pounds, with the whole Arrears due to the Army, before the disbanding thereof. And for paying the Remnant of the said Sum, an Act of Parliament of publick Faith, shall pass for Security thereof; and that one Moiety shall be paid at* Midsummer 1642, *and the other Moiety a Year after, in* 1643.

And in like manner, whereas it was desired by the Scotish *Commissioners, that they might know to whom they should address themselves for Payment of the forementioned Sums, the Parliament hath appointed Commissioners* —— *and resolved that the Place of Payment shall be the Chamber of* London. *And lastly, that a Safe-Conduct shall be granted for the secure Transporting of the Moneys to* Scotland.

7th De-

7th Demand.

" That all ſuch Declarations, Proclamations, " Books, Libels, &c. as have been made againſt " the Subjects of *Scotland* may be ſuppreſſed and de- " ſtroyed.

Anſwer.

It is agreed, that all ſuch Declarations, &c. *be reciprocally ſuppreſſed in* England, Ireland, *and* Scotland.

8th Demand.

Containing ſeveral Articles.

" 1. That all Tokens and Shews of Hoſtility upon " the Borders of the two Kingdoms may be taken " away; and particularly, that not only the Garri- " ſons of *Berwick* and *Carliſle* may be removed, but " that the Works may be ſlighted, and the Places " diſmantled (*b*).

Anſwer.

His Majeſty is deſirous, that all Things between the Kingdoms of England *and* Scotland, *be reduced into the ſame State they were in before the beginning of the late Troubles.*

" 2. That there be Unity in Religion, and Uni- " formity of Church-Government between the two " Nations.

Anſwer.

His Majeſty with the Advice of both Houſes of Parliament, doth approve of the Affection of his Subjects in Scotland,

(*b*) This Clauſe was uſually inſerted in Treaties between *England* and *Scotland*, that neither of the two Nations ſhould take Poſſeſſion of *Berwick* or *Carliſle*.

1640-1. Scotland, *in their desire of having a Conformity of Church-Government between the two Nations; and as the Parliament hath already taken into Consideration the Reformation of Church-Government, so they will proceed in due Time, as shall best conduce to the Glory of God, the Peace of the Church, and of both Kingdoms.*

" 3. That the King's Majesty and the Prince come " and reside sometimes in *Scotland.*

Answer.

His Majesty will repair thither, as he shall find the Urgency of their Affairs require his Presence, and his other Conveniencies here permit.

" 4. That the Officers of State, Counsellors and " Sessioners within the Kingdom of *Scotland*, be pla- " ced by Advice of Parliament.

Answer.

His Majesty promises to give Ear so far to the Informations of his Parliament, and when the Parliament is not sitting, of his Council and College of Justice, as that he shall either make choice of such as they shall recommend unto him; or if he thinks another Person fitter than any of those recommended, he shall make the same known to the Parliament, or in the time between Parliament, to the Council and Session, that if there is just Exception against the Life and Qualification of the said Party, he may timely nominate some other, against whom there shall be no just Exception. His Majesty declares also, that the Places in the College of Justice, shall be provided unto the Judges, Quamdiu se bene gesserint. *If this Answer cannot content the* Scotish *Commissioners, his Majesty remits the whole Answer to be considered by him, or his Commissioners, at the Parliament, at the next sitting thereof.*

" 5. That

" 5. That his Majeſty would be pleaſed to place " about his own Perſon, in Places of greateſt Near- " neſs and Truſt, ſome of his *Scotiſh* Subjects.

Anſwer.

His Majeſty ſhall continue the ſame Care which hither- to he hath done for their Satisfaction in this Particular; and not only ſo, but ſhall alſo recommend the ſame to the Prince his Son.

" 6. That none may have Place about his Majeſ- " ty, and the Prince, but ſuch as are of the Reform- " ed Religion.

Anſwer.

His Majeſty doth conceive, that his Subjects of Scot- land *have no Intention by this Propoſition, (eſpecially by way of Demand) to limit, or preſcribe unto him the choice of his Servants, but rather to ſhew their Zeal to Religi- on; wherein his own Piety will make him do therein, that which may give juſt Satisfaction to his People.*

" 7. That the Copper-Coin, which hath paſſed in " *Scotland* this long time for ſeven Times, and above " as much as the true Value and Worth thereof, be " newly regulated; and that no Copper-Money be " coined hereafter without Conſent of the Eſtates " convened in Parliament.

Anſwer.

His Majeſty recommends this Matter to the enſuing Parliament of Scotland, *not only concerning the Copper- Coin to be coined hereafter, but alſo the Copper-Money already coined, how the ſame ſhall paſs in Payment for the time to come*

After

1640-1.

Rush. VI. p. 370.

After these Articles, there was added to the Treaty, the Draught of an *Act of Oblivion*, the most ample that could be, which was to pass in all the Parliaments of the three Kingdoms, but of which the Benefit was not to extend to the *Scotish Prelates*, the Earl of *Traquaire*, Sir *Robert Spotswood*, Sir *John Hay*, and Mr. *Walter Balcanqual*.

The Lord *Lowdon* having carried this Treaty to *Scotland*, to communicate it to the Parliament of that Kingdom, which was already assembled, returned some time after with twelve Articles, explaining certain Passages of the Treaty, and to which the *English* Commissioners returned Answers that were agreed to. These Articles with the Answers were added to the Treaty. In fine, the Treaty was confirmed and ratified by an Act of Parliament inserted at the End, to this Effect:

" Be it therefore enacted by his Majesty, with the " Assent of the Lords and Commons in this present " Parliament assembled, that the said Treaty, and " all the Articles thereof assented to, as aforesaid, " be and stand for ever ratified and established, and " have the Force, Vigour, Strength, and Authority " of a Law, Statute and Act of Parliament.

(The same Thing for *Scotland.*)

" And his Majesty for himself and his Successors, " doth promise *in verbo Principis*, never to come in " the contrair of this Statute and Sanction, or any " Thing therein contained; but to hold the same in " all Points firm and stable, and shall Cause it to " be truly observed by all his Majesty's Leiges, ac- " cording to the Tenor and Intent thereof, for now " and ever. Like as the Parliament of both King- " doms give full Assurance, and do make publick " Faith in the Name of both Kingdoms respectively, " for the true and faithful Observance of this Treaty, " and whole Articles thereof inviolably, *hinc inde*, " in all Times to come.

As

As afterwards the King thought he had reaſon to complain that the *Scots* had violated this Treaty in two of the main Articles, I imagine the Reader will be glad to ſee here theſe two Articles at large, on which this Complaint was grounded. They are contained in the *Act of Oblivion* in theſe Words: 1640—1.

A particular Clauſe concerning the War between the two Kingdoms. Ibid. p. 371.

It is agreed that an Act be paſſed in the Parliament of England; *That the Kingdoms of* England *or* Ireland *ſhall not denounce nor make War againſt the Kingdom of* Scotland, *without Conſent of the Parliament of* England: *As, on the other part, it ſhall be enacted there, That the Kingdom of* Scotland *ſhall not denounce nor make War againſt the Kingdom of* England *or* Ireland, *without Conſent of the Parliament of* Scotland.

And in caſe any of the Subjects of any of the Kingdoms ſhall riſe in Arms, or make War againſt any of the Kingdoms and Subjects thereof, without Conſent of the Parliament of that Kingdom whereof they are Subjects, or upon which they do depend, That they ſhall be held, reputed, and demeaned, as Traitors to the States whereof they are Subjects.

It happened afterwards that the King and Parliament making War upon each other, the *Scots* ſent an Army to the Aſſiſtance of the Parliament of *England* againſt the King, from whence he inferred, that to make War againſt him was to make War againſt *England*. The *Scots* on the contrary pretended, that very far from making War againſt *England*, they ſent their Troops thither on purpoſe to aſſiſt that Kingdom. It is eaſy to perceive that from this Diverſity of Principles proceeds the Diverſity of Conſequences.

The King grants the Scots *all they demand.*

To finiſh in a Word what relates to *Scotland*, I ſhall only ſay, that the King went thither in the Month of *Auguſt* 1641, ſtayed there till the 19th of *November*, aſſiſted in Perſon at the Parliament, and gave the Royal Aſſent to all the *Acts* preſented to him.

1640—1. him. To this came the Projects he had formed with regard to *Scotland*, since the Beginning of his Reign.

He resents the Mortifications given him in England.

What has hitherto been said of the Parliament's Behaviour to the King is sufficient to show, how sensible the King must needs have been of the Mortifications he daily received. He had passionately desired to be revenged of the *Scots*, or at least to drive them out of the Kingdom; and he saw that the Parliament made them a present of Three Hundred Thousand Pounds to reward them for their coming. He hated the *Presbyterians*, and would have been glad to have had it in his Power to root out *Presbyterianism*: but he saw that on the contrary, the *House* of *Commons* openly took their Part, and laboured to pull down Episcopacy. His two principal Ministers in whom he most confided were in the *Tower*, and he easily perceived the *Commons* intended not to stop there, since with regard to the Earl of *Strafford*, they were daily employed in seeking Means to make good their Charge against him. Two other of his Ministers had been forced to fly, and the appearing to be still well-affected to him, was sufficient to render any Person the Object of the Persecution of the *Commons*.

It has already been seen after what manner the King governed for Fifteen Years, and one cannot but be convinced, that he intended to alter the Government, and procure for himself and Successors a Power much more extensive than what was allowed him by the Laws, and to which none of his Predecessors, except *Richard* II, had ever pretended. I except not even *Henry* VIII, the most absolute of all the Kings of *England*, since *William the Conqueror*. But there was this Difference between *Henry* VIII and *Charles* I. *Henry* did whatever he pleased by way of Parliament; whereas *Charles* pretended to rule without Parliaments, looking upon them as little necessary to the Constitution of the Government. Since the Meeting of this Parliament, scarce a Day had passed but the *Commons* struck at the King's Project,

Difference between Charles I. *and* Henry VIII.

by

by declaring what he had done during fifteen Years, to be contrary to the Laws, or by profecuting with the utmoſt Rigour the Inſtruments he had uſed in the Execution of his Deſigns. It is eaſy therefore to ſee how much all theſe Mortifications muſt have touched the King, and with what Impatience he bore the haughty Manner in which the Parliament acted with him. Nothing was more againſt his inflexible Temper, than to ſee himſelf forced to ſtoop to a *Houſe* of *Commons*, for whom he had before ſhown nothing but Contempt. It is no wonder then, that in this his ſad State, he ſhould think of ſome way to free himſelf from this ſlaviſh Yoke. But a ſlight Attempt he made to compaſs this End, had no other Effect but to caſt him down a Precipice, of which it was not poſſible for him to get clear. 1640—1.

Plot to get the Army to declare for the King;

I mean the Project of gaining the Army, and cauſing them to declare for the King. The King approved of the Project, without perceiving the Conſequences, having no Miniſter about him that had either the Inclination or Ability to give him good Counſel. I am ſenſible that this here is a Place full of dangerous Rocks, on which an Hiſtorian can very hardly eſcape being Shipwrecked. This Plot to win the Army, is by ſome looked upon as a Chimera, a mere Fiction, to render the King odious. But on the other Hand, the Parliament conſidered it as a very real Conſpiracy, and pretended to draw from thence an evident Proof that the King's Compliance with reſpect to the Redreſs of *Grievances* was all Diſſimulation, in Expectation of an Oportunity to reſtore himſelf by force to the State he was in before this Parliament. This begot in the Parliament an invincible Diſtruſt with regard to the King, and a Reſolution to put it out of his Power to break his Word, and the Means they uſed to this End, occaſioned the Civil Wars which I ſhall ſpeak of hereafter. It is therefore abſolutely neceſſary to examine this Conſpiracy thoroughly, in order to know whether it was real or invented: for from hence flow all the

Which had an ill effect for him.

Neceſſity of examining the Reality of this Plot.

1640—1. the enſuing Proceedings of the King and Parliament, and upon this it is that the judicious and diſintereſted Reader may blame the one or other. But before I proceed to the Relation of this Plot, it will be requiſite to ſay ſomething of the Earl of *Strafford*'s Affair, with which this has ſome Connection.

Its Connection with the Earl of Strafford's *Affair.*

Bill of Attainder againſt the Earl of Strafford *paſſes the Houſe of Commons.* Ruſh. IV. p. 225.

The Earl had been impeached by the *Commons* the 11th of *November* 1640: but his Proceſs could not be ready to be tried till the 22d of *March* 1640--1. This Tryal laſted till the 12th of *April*, and then the *Commons*, who had been preſent all the while, perceiving doubtleſs that the Sentence would not be ſo rigorous as they wiſhed, reſolved to proceed againſt the Earl by way of *Bill of Attainder*. They voted therefore on the 16th and 19th of *April*, that it was ſufficiently proved that the Earl of *Strafford* had endeavoured to ſubvert the fundamental Laws of the Kingdom, and introduce an arbitrary and tyrannical Government into the Realms of *England* and *Ireland*, and that this was High-Treaſon. On the 21ſt of the ſame Month, the *Bill of Attainder* was paſſed, there being Two Hundred and Four for it, and Fifty-nine againſt it.

Petition againſt the Earl. Ruſh. IV. p. 233.

The *Bill* met with ſo great Oppoſition in the *Houſe* of *Peers*, that it was very doubtful whether it would be paſſed or thrown out. For which reaſon, on the 24th was preſented to both *Houſes* a *Petition*, ſubſcribed by above Forty * Thouſand Inhabitants of *London*, ſetting forth the Cauſes of their Suſpicions and Fears. And amongſt others, that Juſtice was not yet executed upon the Earl of *Strafford*, and that there was reaſon to dread ſome ſecret Plot againſt the Parliament. The 28th of *April* the *Commons* ſent a Meſſage to the Lords, that they had received Information that the Earl of *Strafford* had a Deſign to make an Eſcape out of the *Tower*: that the Guard about him was weak, and therefore deſired he might be *cloſe Priſoner*, and his Guards ſtrengthned,

p. 238.

* Twenty, ſays *Ruſhworth*, Vol. IV. p. 232.

ſtrengthned, to which the Lords conſented. The 1ſt of *May* the King came to the Parliament, and in a Speech to both *Houſes* ſaid: 1640—1. p. 239.

" THAT having been preſent at the Tryal of " the Earl of *Strafford*, he could not in Con- " ſcience condemn him of High-Treaſon; though " he thought him guilty of Miſdemeanors. There- " fore he deſired the Lords to find ſome way to " bring him out of this great Streight." 1641. *The King's Speech to the Lords.*

The *Commons* were very much troubled and diſcontented with this Speech, and immediately adjourned till *May* the 3d, on which Day a great Multitude at *Weſtminſter* inſulted and threatned the Lords, as they were going to their *Houſe* crying out, *Juſtice, Juſtice.* *The Rabble get together at* Weſtminſter.

This ſame Day Mr. *Pym* made known to the Houſe, " That there were divers Informations given of deſ- " perate Deſigns both at Home and Abroad, againſt " the Parliament and the Peace of the Nation; and " that the Perſons engaged therein were under an " Oath of Secrecy: That there was an Endeavour " to diſaffect the Army, not only againſt the Par- " liament's Proceedings, but to bring them up a- " gainſt the Parliament to over-awe them: That " there was alſo a Deſign upon the *Tower*; and En- " deavours uſed for the Earl of *Strafford* to eſcape: " That theſe Combinations at Home had a Cor- " reſpondency with Practices Abroad; and that the " *French* were drawing down their Forces amain to " the Sea-ſide: And there was a Cauſe to fear their " Intent was upon *Portſmouth*: That divers Perſons " of Eminency about the Queen were deeply en- " gaged in theſe Plots: That it was neceſſary that " the Ports ſhould be ſtopped; and his Majeſty de- " ſired to command, That no Perſon attending up- " on the King, Queen, or Prince, ſhould depart " without Leave of his Majeſty, with the humble " Advice of his Parliament." Pym *diſcovers to the Houſe of Commons a Plot to ſeduce the Army.* Ruſh. IV. p. 240.

1641. Whereupon, the *House* fell into a serious Debate of this Matter, and were generally of Opinion, that it was necessary to enter into a common Resolution for the Safety of the Kingdom.

When it is considered in what Conjuncture this Conspiracy was discovered to the *House*, though Mr. *Pym* was informed of it long before; that it was at a time when the Business in Hand was to compel in some measure the Peers to pass the *Bill of Attainder* against the Earl of *Strafford*; and when the Rabble used also some Violence to them, there seems to be ground to suspect that it was only an Artifice to stir up the People, and move the Lords to do as the *Commons* desired, from a Fear of the imminent Danger the Kingdom was threatned with. At least there is reason to believe, this Conspiracy was highly aggravated. But this is only a Conjecture, which is not to be relied on, till we have seen the Arguments *Pro* and *Con*. Be this as it will, the *Commons*, after a Debate of the Matter, came to a Resolution of making the following *Protestation*, which should be subscribed by all their Members.

Protestation taken by the House of Commons. Rush. IV. p. 241.

I A. B. *do in the Presence of Almighty God, promise, vow and protest, to maintain and defend as far as lawfully I may, with my Life, Power and Estate, the true reformed Protestant Religion, expressed in the Doctrine of the Church of* England, *against all Popery and Popish Innovation within this Realm, contrary to the said Doctrine; and according to the Duty of my Allegiance I will maintain and defend his Majesty's Royal Person, Honour and Estate.*

Also the Power and Privilege of Parliaments, the lawful Rights and Liberties of the Subjects, and every Person that shall make this Protestation, in whatsoever he shall do in the lawful Pursuance of the same; and to my Power, as far as lawfully I may, I will oppose, and by all good Ways and Means, endeavour to bring condign Punishment on all such as shall by Force, Practice, Counsels, Plots, Conspiracies, or otherwise do any thing to the

the contrary in this preſent Proteſtation contained: And further, That I ſhall in all juſt and honourable Ways, endeavour to preſerve the Union and Peace betwixt the Three Kingdoms of England, Scotland *and* Ireland: *And neither for Hope, Fear, or any other Reſpects, ſhall relinquiſh this* Promiſe, Vow *and* Proteſtation. 1941.

Remark on this Subject.

It muſt be remarked that this *Proteſtation* was reſolved on the bare Aſſurance that Mr. *Pym* gave of the Diſcovery of a Plot, and before there was any proof of the Thing. Hence it may be conjectured that the Matter was determined beforehand among the Leading-Men in the *Houſe*. After that the *Commons* came to ſeveral Reſolutions, to provide for the Safety of the Kingdom, and the Town of *Portſmouth* in particular. They communicated to the Lords the Informations they had received, the *Votes* they had paſſed, the *Proteſtation*, deſiring them that every Member of their *Houſe* might be ordered to take the ſame.

Petition of the Rabble to the Lords. Ruſh. IV. p. 249.

It was no eaſy matter for the Lords to help doing what the *Commons* deſired. In the firſt Place they had inſpired the Nation with ſuch a Terror, that no one durſt oppoſe their *Reſolves*, for fear of being looked upon as having ill Deſigns, and expoſed to inevitable Ruin. Secondly, the People ſtill continued to flock together about *Weſtminſter*, and openly threatned the Lords. Thirdly, the Multitude preſented the ſame Day a *Petition* to the Lords, demanding Juſtice againſt the Earl of *Strafford*, and that their Lordſhips would pleaſe to free them from the Fears of the Conſpiracy. Fourthly, on the Morrow being the 4th of *May*, the People getting together again at *Weſtminſter* in greater Numbers than the Day before, ſome Incendiaries poſted up againſt a Wall in the *Old Palace-Yard*, the Names of Fifty-ſix Members, and called them *Straffordians*, and *Betrayers of their Country*. Laſtly, the ſame Day the Multitudes preſented to the Lords another *Petition*, ſaying, that they underſtood the *Tower* was going to receive a

The Straffordians, p. 257.

Another Petition.

1641. Garriſon of Men, not of the *Hamlets* (as uſually) but conſiſting of other Perſons under the Command of a Captain, a great Confident of the Earl of *Strafford*'s, which was done to make way for the Earl's Eſcape. Upon this *Petition* the *Houſe* ſent ſix *Peers* to go and examine Sir *William Balfour* Lieutenant of the *Tower*, about the Truth of the Matter. *Balfour* anſwered, it was true he had his Majeſty's order to receive one Hundred Men into the *Tower*, and Captain *Billingſly* to command them, and to receive only ſuch Men as the Captain ſhould bring to him; but underſtanding now their Lordſhips Pleaſure, he would receive no other Guard into the *Tower* but the *Hamlet*-Men.

Balfour's *Confeſſion againſt the King.*

The Lords did further declare, at a Conference with the *Commons*, that they were drawing to a Concluſion of the *Bill of Attainder*, but were ſo encompaſſed with Multitudes of People, that they might be conceived not to be free, and therefore deſired the *Commons* to join with them, to find out ſome way to ſend the People to their Homes. Then they debated the *Proteſtation*, paſſed it, and took the ſame. It was taken by four Hundred and Thirty-three *Commoners*, and one Hundred and Six Lords, including the Biſhops and Judges. The *Commons* having ordered Doctor *Burgeſs* to acquaint the Multitude with the *Proteſtation* taken by both *Houſes*, and that they were deſired to return to their Homes, they forthwith departed.

The Lords deſire the Concurrence of the Commons *to diſperſe the Mob.*

They take the Proteſtation. Ruſh. IV. p. 250. Ibid.

The People retire.

There are then two Things which ſeem to be evident in this Affair. The firſt, that there was a Project on foot to help the Earl of *Strafford* to make an Eſcape, which will be ſeen more clearly hereafter. The ſecond, that the Concourſe of the People was privately brought about by ſome of the Leading-Men of the *Commons*, ſince the Day before, the *Houſe* had taken no Step towards diſperſing the Multitudes, though they were deſired by the Lords, and ſince they found Means to cauſe the People to return home as ſoon as they knew the Lords had reſolved to take the *Proteſtation*.

But the *Proteſtation* was not the only Effect of the Conſpiracy. The ſame Day the *Commons* ordered the bringing in of a *Bill* for the Continuance of this preſent Parliament, that it might not be diſſolved without the Conſent of both *Houſes*. They ordered likewiſe the *Proteſtation* to be tendered to the whole Kingdom. 1640. *Bill for the Continuance of the Parliament.* Ruſh. IV. p. 250.

The ſame Day, *May* the 4th, the *Houſe* was informed that ſix or eight of the Conſpirators were fled, of whom Mr. *Henry Jermin*, and Mr. *Henry Percy*, Members of the *Houſe*, were two, and that they were gone towards *Portſmouth*. At the ſame Time Information came that the Queen was preparing to go to the ſame Place. Theſe two Informations one upon another cauſing ſtrong Suſpicions, the *Houſes* diſpatched to *Portſmouth* one Lord and two *Commoners*, to propoſe certain *Queries* to the Governour, and take Care for the Security of the Town and Haven. They agreed withal to move the Queen to forbear her Journey to *Portſmouth*, alledging ſeveral Reaſons which were not the true ones, [particularly the ſafety of her Majeſty's Perſon.] They deſired alſo the King to iſſue out a Proclamation for the calling in *Jermin*, *Percy*, and other Fugitives, which the King promiſed to to do. The ſame Day, the *Speaker* ſent by order of the *Houſe*, the following Letter to Sir *Jacob Aſhly*, with a Charge to communicate the ſame to the Army. *Flight of the Conſpirators.* p. 252. *Precaution for* Portſmouth. p. 260. p. 252. p. 261.

SIR,

WE have had Cauſe to doubt, that ſome ill-affected Perſons have endeavoured to make a Miſunderſtanding in the Army, of the Intentions of the Parliament towards them. To take away all Miſunderſtanding in that kind, the Houſe of Commons have commanded me to aſſure you, that they have taken the Affairs of the Army into their ſerious Care: And though for the preſent their Monies have not come in as they wiſhed, and as was due, by reaſon of the many Diſtractions, and other Im- *The Speaker's Letter to the Army.* Ibid. p. 252.

1641. *pediments, which this House could no ways avoid; yet they rest most assured, that they shall not only have their full Pay, but the House will take their Merits into their further Consideration, in regard they take notice, that notwithstanding their Want, and Endeavours of those ill-affected Persons, they have not demeaned themselves otherwise than as Men of Honour, and well-affected to the Commonwealth; which this House takes in so good part, that we have already found out a way to get Money for a good part of their Pay, and will take the most speedy Course we possibly may for the rest. So I remain,*

Your loving Friend,

WILLIAM LENTHALL.

In the mean while the Committee that had been appointed to enquire into the Conspiracy, made their Report in the following manner.

" That this Plot consisteth of three Heads: The " first was, the Design upon the Tower. The Se- " cond, to engage the Army. The Third, to bring " in foreign Forces. For the *Tower*, it appeared to " be thus: Captain *Billingsly* being examined upon " Oath, confessed, That he was acquainted with Sir " *John Suckling*: That the said Sir *John* lately of- " fered him Employment in one of the King's Ships, " then at *Portsmouth*; afterwards Employment for " *Portugal*: That this Deponent having notice to " meet at the Privy-Lodgings at *White-Hall*, did " there receive Orders to get an Hundred Men to " serve in the *Tower*, under him. And if he did " fail, he should answer it with his Life. And af- " terwards meeting with Sir *John Suckling*, and ac- " quainting him therewith, he told him he would " furnish him with the said Number. Sir *William* " *Belfore*, Lieutenant of the Tower, being examin- " ed, said, that he had Command to receive Captain

" *Billingſly* with an Hundred Men into the *Tower*, 1641.
" who ſhould be under his Command. That the
" Earl of *Strafford* at that Time expoſtulating with
" him about his Eſcape, told him, he would at-
" tempt nothing in that kind without his Privity;
" and that he ſhould have the King's Warrant for
" his Indemnity; and that the Warrant ſhould be
" to command him to remove the Earl of *Strafford*
" from the *Tower*, to ſome other Caſtle; and he
" would then take his Opportunity to eſcape; that
" the Lieutenant of the *Tower* not giving any com-
" plying Anſwer thereunto, the ſaid Earl ſent again
" to him to intreat him to come to him, and would
" have perſwaded him to let him make his Eſcape;
" ſaying, *Without your Concurrence it cannot be done*;
" *and if you will conſent thereunto, I will make you*
" *preſent Payment of Twenty-two Thouſand Pounds, be-*
" *ſides you ſhall have a good Marriage for your Son.*
" To which the Lieutenant of the *Tower* replied,
" he was ſo far from concurring therein, that he
" was not to be further moved in ſuch a Thing.
" Thus much the Lieutenant of the *Tower* delivered
" upon his Oath.

" Colonel *Goring*, upon his Examination in the
" Houſe of *Commons*, did confeſs, that Sir *John*
" *Suckling* was the firſt Perſon that ever made any
" Overture unto him, concerning the Army's march-
" ing towards *London*: Afterwards being in the
" Queen's Lodgings, he met with Mr. *H. P.* which
" was about the beginning, or middle of *Lent* laſt,
" and Mr. *P.* told him, there was a Conſultation
" of Officers to be had, concerning the Good of the
" Army; and deſired him to go along with him to
" his Chamber, where the Meeting was to be. There
" were preſent at the ſame Meeting, Commiſſary
" *Wilmot*, Colonel *Aſhburnham*, Captain *Pollard*,
" Sir *John Berkly*, *Daniel O Neal*, Mr. *Jermin*, and
" himſelf: That Mr. *P.* ſaid, There were Propoſi-
" tions to be made which were of great Concern-
" ment; and that it was neceſſary there ſhould be

" an

1641. " an Oath of Secrecy taken before any Thing was " propounded: That the Oath ſhould be to this " purpoſe: That we ſhould neither directly nor in- " directly diſcover any part of the Conſultation, " nor ever think our ſelves diſſolved from that Oath, " by any other Oath which might be impoſed upon " us hereafter: Which Oath was read out of a Pa- " per, when it was tendered unto them; and there- " upon they were ſworn, by laying their Hands up- " on the Bible; that he and *Jermin* were ſworn to- " gether; for the reſt had taken the Oath before."

Then three Propoſitions were made unto them, namely:

As theſe Propoſitions are expreſſed in a Letter which will be ſeen preſently, they are omitted here for Brevity's ſake.

He further ſaid, " That the whole Number there " met, were of Opinion, that the Army ſhould not " march towards *London*, till a Declaration had been " firſt ſent up to the Parliament: That he the ſaid " *Goring* anſwered, it was a nice Point to interpoſe " in the Proceedings of the Parliament; and did " propound ſome Difficulties to allay the Buſineſs, " to divert Commiſſary *Wilmot*, and thoſe other Per- " ſons from ſo dangerous a Buſineſs: And ſaid, " that he did think it was a Deſign of Folly to un- " dertake it; for they muſt think the *Scots* would " take the Advantage upon the Army's removal " *ſouthwards*, whoſe Correſpondency was ſo great " with the City; and for them to begin to ſhew their " Teeth, and not be able to bite, would argue little " Prudence; that they ſhould either undertake it ſo " as to go through with it, or let it alone: That " he did ask them what Ammunition they had to ac- " commodate ſo great an Army; and whether they " could command the Ammunition in the *Tower*: " That *Wilmot*, *Pollard*, and *Aſhburnham*, then made " Anſwer, they had no purpoſe to go to *London*; " for to ſurpriſe the *Tower*, was to conquer the King- " dom:

" dom : That this, amongſt other Paſſages, was 1641.
" part of the Diſcourſe at the firſt Meeting.

" That ſhortly after there was another Meeting of " the ſame Perſons, and in the ſame Place, in Mr. " *Percy*'s Chamber, where there were Propoſitions of " another Nature, deſperate and impious on the one " Hand, and fooliſh on the other ; and that he en- " deavoured by Argument to divert them, by pro- " pounding an impoſſibility to effect the ſame: For " how could the Army, lodged in ſeveral Quarters, " unpaid, and at ſuch a Diſtance, march on a ſud- " den to *London*, and ſurprize what they had in " Deſign ?

" That Mr. *Jermin* was the Perſon that firſt pro- " poſed the marching of the Army towards *London:* " That for his Part he declared himſelf abſolutely " againſt it. That Mr. *Jermin* replied to him in " private, *You do not diſlike the Deſign, for you are as " ready for any wild, mad Undertaking, as any Man I " know ; but you diſlike the Temper of thoſe Perſons who " are engaged in the Buſineſs.*

" He did further confeſs, that he propounded that " *Suckling* might be admitted to the Conſultation : " But *Wilmot* and *Aſhburnham*, and *Pollard*, would " not hear of it. And they three did then declare " themſelves againſt the Army's marching towards " *London.*

" Then he took occaſion to ſay, that he did ac- " quaint ſome Members of both Houſes, whom he " could name, that there were ſome of the Army " whom they did not think ſo well of, were more " favourable and ſerviceable to the Parliament than " they were aware of, which Time would produce ; " and named them: And they did accordingly give " Teſtimony of his Integrity, ſo far as general " Terms could diſcover the Deſign. He confeſſed, " that Mr. *Jermin* did make ſome Offers unto him, " to relinquiſh the Government of *Portſmouth* upon " ſome Terms of Advantage : But he ſaid, he did " not conclude any Thing, for he would firſt ſee the

" Performance

1641. " Performance of what was offered; ſo had no fur-
" ther Diſcourſe with him concerning that Buſineſs.
" But he doth believe that *Suckling* and *Jermin* did
" confer together about the Deſign. He ſaid they
" did deſire Opinion about a General; ſome were
" for *Eſſex*, ſome for *Holland*; but he, with Mr.
" *Jermin*, were for *Newcaſtle*.

" Being again examined upon Oath before the
" Committee of Lords and Commons, and preſſed
" more particularly to anſwer Queſtions not before
" propoſed unto him, he did confeſs, That meeting
" with Mr. *Jermin* in the Queen's withdrawing
" Chamber, her Majeſty came and told him, the
" King would ſpeak with him; and meeting his Ma-
" jeſty, he told him, he was minded to ſet his Army
" in a good Poſture, being adviſed thereunto by
" the Earl of *Briſtol* (as he ſaid) and his Majeſty
" then commanded him to join with Mr. *Percy*, and
" ſome others in that Buſineſs.

" As for the Deſigns from beyond the Seas, the
" Committee did make Report to the Houſe, That
" it was cleared unto them, that *Jermin* endeavoured
" to have got the Poſſeſſion of *Portſmouth*; That the
" King of *France* had drawn down great Forces to
" the Sea-ſide; That the Governour of *Calice* had ex-
" amined ſome *Engliſh*-Men, whether the Earl of
" *Strafford*'s Head was cut off? And this was in
" point of Time, the *Firſt of May*, according to the
" *Engliſh Stile*; and Sir *Philip Cartwright*, Gover-
" nour of *Guernſey*, wrote Letters alſo, which came
" in great haſte, that he underſtood the *French* had
" a Deſign upon that *Iſland*, or ſome part of *Eng-*
" *land*. It alſo appeared to the Committee, by di-
" vers of the Letters which were opened coming
" from beyond Sea, that they expected the Earl of
" *Strafford* there; and that they hoped the *Horſe-*
" *Leeches* ſhould be ſtarved for want of Blood: And
" in ſome of thoſe Letters there was Advice to the
" Cardinal to beſtir himſelf betimes, to interrupt
" the heighth of the Proceedings here in *England*.

" Alſo

" Alſo Examination of ſome Prieſts were taken in 1641.
" *Lancaſhire*, and ſent up to *London*, which were
" there taken the *third of May*, which did teſtify,
" that the Prieſts did ſay, the Parliament ſhould be
" ſuddenly *diſſolved*: For the Army was to march
" up thither with all ſpeed, and they would be ſe-
" conded by Forces out of *France*; and that *Mon-*
" *tague* did write out of *France* to Mr. *Percy* (which
" was alſo intercepted) that if he did perform what
" he had undertaken, he would be made a Knight
" of the Garter."

Upon theſe Depoſitions, the Houſe of *Commons* paſſed the following Votes againſt *Percy*, *Jermin*, and *Suckling*.

" 1. That in the Months of *March* and *April* laſt, *Votes againſt Percy, &c.* Ruſh. IV. p. 258.
" they did conſpire to draw the Army together, and
" employ the ſame againſt the Parliament, and by
" force and dread thereof, to compel the Parlia-
" ment to agree to certain Propoſitions by them,
" and to hinder and interrupt the Proceedings of the
" Parliament.

" 2. That in Purſuance of the ſaid Deſign, they
" did endeavour to perſwade divers Members of the
" Houſe of *Commons*, and others, being Officers of
" the ſaid Army, that is to ſay, *Wilmot*, *Aſhburn-*
" *ham*, *Berkley*, *Pollard*, and *O Neal*, that they were
" diſobliged by the Parliament, thereby to incenſe
" them againſt the Parliament; and did hold divers
" Conſultations with the ſaid Parties, to effect the
" ſaid wicked Deſign; and to that purpoſe did ſet
" down in Writing, certain Propoſitions to the Ef-
" fect as followeth, *viz.* 1. The preſerving of Bi-
" ſhops in their Functions and Votes. 2. The not
" diſbanding of the *Iriſh* Army, untill the *Scots* were
" diſbanded. 3. And the endeavouring to ſettle the
" King's Revenue to the Proportion it was for-
" merly.

3. That

1641. "3. That for the more secret Carriage of this "Plot, they did administer to the said Parties a "wicked and unlawful Oath, whereby they did swear "upon the Holy Evangelists, not to reveal any "Thing that was spoken concerning the Business.

"4. That they did propound and endeavour to "perswade the Persons before-named, and other Of-"ficers of the Army, to put the said Army into a "warlike Posture, to bring them up to *London*, to "make themselves sure of the *Tower*, and so by "force to compel the Parliament to conform to "their Will: And they did endeavour to work a "Belief in the said Army, that the King and Par-"liament would disagree; and that all the *French* "about the City of *London* would assist them: And "to the great Scandal of the King, that the Prince "and the Earl of *Newcastle* were to meet the Army "at *Nottingham* with a Thousand Horse; that *Suck-*"*ling*, to compass the Design of gaining the *Tower*, "did contrive that an Hundred Men, under Captain "*Billingsly*, should be designed for that purpose, "when the Opportunity was offered, to the end the "City of *London* should not be able to make any "Resistance, when the said Army should come up; "and *Suckling*, by the Means and Plot aforesaid did "thereby endeavour, that the Earl of *Strafford*, "then Prisoner in the *Tower*, might the better com-"pass his Escape."

Besides the Depositions before-mentioned, here is a Testimony of one of the chief Conspirators, of which the Parliament made great use. It is a Letter of *Percy*'s after his Flight into *France*, to his Brother the Earl of *Northumberland*.

Mr. Percy's *Letter to the Earl of* Northumberland. Rush. IV. p. 255.

"WHat with my own Innocency, and the Vio-"lence I hear is against me, I find my self "much distracted. I will not ask your Counsel, "because it may bring Prejudice upon you; but I

"will

" will with all Faithfulneſs and Truth tell you what 1641.
" my Part hath been, that at leaſt it may be declared
" by you, whatſoever becomes of me.

" When there was 50000*l.* ready, deſigned by the
" Parliament for the *Engliſh* Army, there was, as I
" take it, a ſudden Demand by the *Scots* at the ſame
" Time of 25000*l.* of which there was 15000*l.* rea-
" dy; this they preſſed with ſuch Neceſſity, as the
" Parliament after an Order made, did think it fit
" for them to reduct 10000*l.* out of the 50000 *l.*
" formerly granted: Upon which the Soldiers in
" our Houſe, were much ſcandalized; amongſt
" which I was one, and ſitting by *Wilmot* and *Aſh-*
" *burnham*, *Wilmot* ſtood up, and told them, if that
" the *Scots* could thus produce Money, he doubted
" not but the Officers of the *Engliſh* Army might
" eaſily do the like. But the firſt Order was rever-
" ſed notwithſtanding, and 10000*l.* given to the
" *Scots*. This was the Cauſe of many Diſcourſes of
" diſlike amongſt us, and came to this purpoſe, that
" they were diſobliged by the Parliament, and not
" by the King: This being ſaid often to one ano-
" ther, we did reſolve, *Wilmot*, *Aſhburnham*, *Pol-*
" *lard*, *O Neal*, and my ſelf, to make ſome Expreſ-
" ſions of ſerving the King in all Things he would
" command us, that were honourable for him and
" us, being likewiſe agreeing to the Fundamental
" Laws of the Kingdom, that ſo far we would live
" and dye with him; this was agreed upon with us,
" not having any Communication with others, that
" I am coupled now withal: And further, by their
" joint Conſent, I was to tell his Majeſty thus much
" from them; but withal, I was to order the Matter
" ſo as the King might apprehend this as a *great*
" *Service* done unto him at this Time, when his Af-
" fairs were in ſo ill a Condition, and they were
" moſt confident, that they would engage the
" whole Army thus far; but further they would un-
" dertake nothing, becauſe they would neither in-
" fringe the Liberties of the Subjects, nor deſtroy

" the

1641. " the Laws; to which I and every one consented; " and having their Sense, I drew the Heads up in " a Paper, which they all approved when I read it; " and then we did, by an Oath, promise one ano- " ther to be constant and secret in all this, and did " all of us take this Oath together: Then, said I, " well, Sirs, I must now be informed what your " particular Desires are, that so I may be the better " able to serve you; which they were pleased to do; " and so I did very faithfully serve them therein as " far as I could. This is the Truth, and all the " Truth upon my Soul, in particular Discourses.

" After that we did fall upon petitioning to the " King and Parliament for Moneys, there being so " great Arrears due to us, and so much Delays made " in the procuring of them; but that was never " done.

" 1. Concerning the Bishops Functions and Votes.

" 2. The not disbanding of the *Irish* Army, un- " til the *Scots* were disbanded too.

" 3. The endeavouring to settle his Majesty's Re- " venue to that Proportion it was formerly (*a*).

" And it was resolved by us all, if the King " should require our Assistance in those things, that " as far as we could, we might contribute thereunto, " without breaking the Laws of the Kingdom; and " in case the King should be denied these things be- " ing put to them, we would not fly from him: " All these Persons did act and concur in this as " well as I, this being imparted to the King by me " from them, I perceived he had been treated with " by others concerning some things of our Army; " which agreed not with what was proposed by me, " but inclined a way more sharp and high, not having " Limits

(*a*) The Word *formerly* is very ambiguous; for it may signify either the King's lawful Revenues, or those he enjoyed just before this Parliament.

" Limits either of Honour or Law. I told the King, 1641.
" he might be pleaſed to conſider with himſelf, which
" way it was fit for him to hearken unto; for us,
" we were reſolved not to depart from our Grounds;
" we ſhould not be diſpleaſed, whoſoever they
" were, but the Particular of the Deſigns, or the
" Perſons we deſired not to know; though it was
" no hard Matter to gueſs at them. In the End, I
" believe the Danger of the one, the *Juſtice* of the
" other, made the King tell me, he would leave all
" Thoughts of other Propoſitions but *ours*, as things
" not practicable; but deſired, notwithſtanding that
" *Goring* and *Jermin*, who were acquainted with the
" *other* Proceedings, ſhould be admitted amongſt
" us. I told him, I thought the other Gentry
" would never conſent to it, but I would propoſe it;
" which I did, and we were all much againſt it:
" But the King did preſs it ſo much, as at the laſt it
" was conſented to; and *Goring* and *Jermin* came to
" my Chamber; there I was appointed to tell them,
" after they had ſworn to Secrecy, what we had
" propoſed; which I did. But before I go into the
" Debate of the way, I muſt tell you, *Jermin* and
" *Goring* were very earneſt *Suckling* ſhould be admit-
" ted; which we did all decline, and I was deſired
" by all our Men to be reſolute in it, which I was,
" and gave many Reaſons: Whereupon Mr. *Goring*
" made anſwer, he was engaged with Mr. *Suckling*
" his being employed in the Army; but for his
" meeting with us, they were contented to paſs it by:
" Then we took up again the Ways which were pro-
" poſed; which took great Debate, and *theirs* diffe-
" red from *ours* in Violence and Heat; which we all
" proteſted againſt, and parted, diſagreeing totally;
" yet permitted it to be ſpoken of by me and *Jer-*
" *min* to the King, which we both did; and the
" King, conſtant to his former Reſolutions, told him
" theſe ways were all vain and fooliſh, and he would
" think of them no more. I omit one thing of
" Mr. *Goring*, he deſired to know how the chief

1641. "Commanders were to be diſpoſed of; for if he "had not a Condition worthy of him, he would "not go along with us. We made anſwer, That no "body thought of that; we intended, if we were "ſent down, to go all in the ſame Capacity we were "in. He did not like that by any Means, and by "that did work ſo with Mr. *Chidly*, that there was "a Letter ſent by ſome of the Commanders to make "him Lieutenant-General: And when he had or-"dered this at *London*, and Mr. *Chidly* had his In-"ſtructions, then did he go to *Portſmouth*, pretend-"ing to be abſent when this was working; we all "deſired my Lords of *Eſſex* and *Holland*; but they "ſaid, if there were a General, they were for *New-"caſtle*: They were pleaſed to give Report that I "ſhould be General of the Horſe. But I proteſt, "neither to the King, or any elſe, did I ever ſo "much as think of it. My Lord of *Holland* was "made General, and ſo all things were laid aſide. "And this is the Truth, and all the Truth I know "of theſe Proceedings: And this I will and do pro-"teſt unto you upon my Faith. And *Willmot*, "*Aſhburnham* and *O Neal*, have at ſeveral times con-"feſſed and ſworn, I never ſaid any thing in the Bu-"ſineſs, which they did not every one agree unto "and juſtify. This Relation I ſend you rather to "inform you of the Truth of the Matter, that you "may the better know how to do me good; but I "ſhould think my ſelf very unhappy to be made a "Betrayer of any Body. What concerned the "*Tower* or any thing elſe, I never meddled withal, "nor ever ſpoke with *Goring* but that Night before "them all; and I ſaid nothing but what was con-"ſented unto by every Party: I never ſpake one "word with *Suckling*, *Carnarvan*, *Davenant*, or any "other Creature. Methinks if my Friends and "Kindred knew the Truth and Juſtice of the Mat-"ter, it were no hard Matter to ſerve me in ſome "meaſure."

This

This Letter ſhows plainly enough there was really a Project to gain the Army, and engage them to ſerve the King againſt the Parliament, and that the King knew and approved of the ſame. 1641.

The 16th of *June* the Committee appointed to examine the Buſineſs of the Plot to ſeduce the Army, made a ſecond Report to the *Houſe*, and cauſed ſeveral Depoſitions to be read. Ruſh. IV. p. 291.

The 1ſt was Captain *Billingſley*'s, who confeſſed that Sir *John Suckling* had invited him to take upon him the Command of the Hundred Men that were to be ſent to guard the *Tower*.

The 2d Mr. *Nut*'s, whereby it appeared that the Earl of *Strafford*'s Eſcape was projected.

The 3d Lieutenant Colonel *Ballard*'s, who ſaid, that Captain *Chudleigh* brought down to the Army many Propoſitions; ſome of which were, that Colonel *Goring* ſhould be Lieutenant-General, and that the Prince and the Earl of *Newcaſtle* would be in *Nottinghamſhire* with a Thouſand *Horſe* ready to join with the Army.

The 4th was *Willis*'s, who declared that the *French* were to favour the Enterprize; that the *Clergy* would at their own Charge ſend Two Thouſand *Horſe*, and that the Prince was to come down to the Army.

Draught of a Petition of the Officers communicated to the King. He approves of it.

The *Houſe* was further informed, that the Officers who had undertaken to ſerve the King, had communicated to him the Draught of a *Petition*, which was to be directed to the King and Parliament from the Army: that they hoped to get it ſubſcribed by moſt of the Officers, and that the King, after reading it, had approved of the ſame, and writ at the Bottom theſe two Letters, *C. R.* as a Token of his Approbation.

Theſe are the Grounds on which was built the Reality of this Plot, which was extremely injurious to the King, by the Diſtruſt it bred in the Minds of the major Part of the Members of Parliament, and of the Nation in general. But it muſt be added, that King *Charles*'s Friends count it a mere Chimera

1641. to this Day. For my part, I cannot help saying that I believe there was some Truth in it; but I am of Opinion, that the Heads of the contrary Party to the King greatly aggravated the Circumstances and Consequences, in order to get the *Bill of Attainder* against the Earl of *Strafford*, and the *Act* for the Continuance of the present Parliament the more easily passed, to which the King gave the Royal Assent on the same Day, and in this same Conjuncture. And what confirms me the more in this Opinion is, the very Arguments themselves alledged by the King's Friends to show that it was all a Fiction to render the King odious. For they cannot help owning, that there was a Project to engage the Army to declare for the King. They say only that the End the Authors of this Project proposed to themselves, was to hinder the Army from being seduced to espouse the Interest of the Parliament. But first, there appears not the least Sign of this End which is pretended to be the only one, either in the Depositions of the Witnesses, or in *Percy*'s Letter, or in the Reports of the Committee appointed to examine this Affair. Secondly, the King, whom the Parliament so often reproached afterwards with this same Plot, never made use of this Reason to excuse the Authors. In the third Place, it is not so much as probable, that the Officers should have any such purpose, since at that time the Army was too much displeased with the Parliament, to afford any Ground to fear they should suffer themselves to be seduced to declare against the King. The most plausible thing they say is, that there was never any express Design to march the Army to *London*, upon which however the *Commons* chiefly insisted. The denying this Circumstance was what the King solely stuck to, as will be seen hereafter. He called God to witness, he never knew of any such Design. But he never denied positively the having been informed of a Design to engage the Army to his Side. We must therefore carefully distinguish two things in this Conspiracy. The Design of gaining the Army,

Reasons to believe the Plot real. Clarend. I. p. 244.

which appears plainly enough; and the Design of marching the Army to *London*. It appears by the Depositions, that such a Design was proposed in the Assembly of Officers, but was not approved. So the King could affirm he knew of no such Resolution, because in effect it was never resolved, though he was not ignorant of its having been proposed. 1641.

We see in *Percy*'s Letter a thing which may very much help to bring Light to this Matter. That is, there were two Sets of People who formed at the same time a Design to engage the Army in the King's Interest, without having communicated their Thoughts to one another. The first Set were *Percy*, *Wilmot*, *Ashburnham* and *Pollard*. The second, *Jermin* and *Goring*, whose Views went much farther, and who purposed to march the Army to *London*. For tho' *Goring* in his Deposition affirmed, he had done his utmost to dissuade the rest from such a Design, he is said however to be the first that proposed it. If *Percy*'s Letter is to be credited, the King had at first listened to *Jermin* and *Goring*: but upon *Percy*'s Representation, had rejected their Project as impracticable, and laid aside all Thoughts of it. The King's Friends confound these two Projects, and all their Proofs are directed against that of *Jermin* and *Goring*, without meddling with that of *Percy*. And because the Parliament could not fully prove that there was an express Design to bring the Army to *London*, they conclude, that the Conspiracy in general was all a Fiction and a Calumny. But though there was never any settled Design to march the Army to *London*, it may be true however that Endeavours were used to gain them, and that the King approved of the Thing. In short, the King's Friends do not deny that the Draught of a *Petition* was communicated to him, before it was recommended to the Officers of the Army for their Subscription. Of this *Petition* I am still to speak, in order to finish the clearing of this Matter.

1641. It is ſtrange that this *Petition*, which has been ſo much talked of, ſhould never be produced either by the Parliament to ſupport their Charge, or by the King for his own Vindication. It is true indeed, the King afterwards pretended he had lighted upon a Copy, but thought not fit to produce it, though he affirmed there was no harm in it. This gives occaſion to ſuſpect, there was ſomething prejudicial to him. The Earl of *Clarendon* has inſerted in his Hiſtory a *Petition*, which he aſſures to be word for word the ſame the King ſubſcribed *C. R.* But it is evident, it cannot be that in queſtion. Here it is, the Reader will judge of it.

To the KING's moſt Excellent Majeſty; The Lords Spiritual and Temporal; The Knights, Citizens and Burgeſſes, now Aſſembled in the High Court of Parliament,

The humble Petition of the Officers and Soldiers of the Army,

The pretended Petition from the Officers of the Army. Clarend. I. p. 245.

HUmbly ſheweth, That although our Wants have been very preſſing, and the Burthen we are become unto theſe Parts (by reaſon of thoſe Wants) very grievous unto us; yet ſo have we demeaned our ſelves, that your Majeſty's great and weighty Affairs in this preſent Parliament have hitherto received no Interruption, by any Complaint, either from us or againſt us; a Temper not uſual in Armies; eſpecially in one deſtitute not only of Pay, but alſo of martial Diſcipline, and many of its principal Officers; that we cannot but attribute it to a particular Bleſſing of Almighty God, on our moſt hearty Affection and Zeal to the common Good, in the happy Succeſs of this Parliament; to which, as we ſhould have been ready hourly to contribute our deareſt Blood, ſo now

that

1641. *that it hath pleaſed God to manifeſt his Bleſſing ſo evidently therein, we cannot but acknowledge it with Thankfulneſs; as likewiſe his great Mercy, in that he hath inclined your Majeſty's Royal Heart ſo to co-operate with the Wiſdom of Parliament, as to effect ſo great and happy a Reformation upon the former Diſtemper of this Church and Commonwealth: As firſt, in your Majeſty's gracious condeſcending to the many important Demands of our Neighbours of the* Scotiſh *Nation: Secondly, in granting ſo free a Courſe of Juſtice againſt all Delinquents of what Quality ſoever: Thirdly, in the Removal of all thoſe Grievances, wherewith the Subjects did conceive either their Liberty of Perſons, or Property, or Eſtate, or Freedom of Conſcience, prejudiced: And laſtly, in the greateſt Pledge of Security that ever the Subjects of* England *received from their Sovereign, the Bill of Triennial Parliament.*

Theſe things ſo graciouſly accorded unto by your Majeſty, without Bargain or Compenſation, as they are more than Expectation or Hope could extend unto, ſo now they are certainly ſuch, as all loyal Hearts ought to acquieſce in with Thankfulneſs; which we do with all Humility, and do at this time, with as much Earneſtneſs as any, pray and wiſh, that the Kingdom may be ſettled in Peace and Quietneſs, and that all Men may, at their own Homes, enjoy the bleſſed Fruits of your Wiſdom and Juſtice.

But it may pleaſe your Excellent Majeſty, and this High Court of Parliament, to give us leave, with grief and anguiſh of Heart, to repreſent unto you, that we hear there are certain Perſons ſtirring and pragmatical, who inſtead of rendering Glory to God, Thanks to your Majeſty, and Acknowledgment to the Parliament, remain yet as unſatisfied and mutinous as ever; who, whilſt all the reſt of the Kingdom are arrived even beyond their Wiſhes, are daily forging new and unreaſonable Demands; who, whilſt all Men of Reaſon, Loyalty and Moderation, are thinking how they may provide for your Majeſty's Honour and Plenty, in return of ſo many Graces to the Subject, are ſtill attempting new Diminutions

1641. *of your Majesty's just Regalities, which ever must be no less dear to all honest Men, than our own Freedoms; In fine, Men of such turbulent Spirits, as are ready to sacrifice the Honour and Welfare of the whole Kingdom to their private Fancies, whom nothing else than a Subversion of the whole Frame of Government will satisfy: Far be it from our Thoughts to believe, that the Violence and Unreasonableness of such kind of Persons can have any Influence upon the Prudence and Justice of the Parliament. But that which begets the Trouble and Disquiet of our loyal Hearts, at this present, is, that we hear those ill-affected Persons are backed in their Violence by the Multitude and the Power of raising Tumults; that Thousands flock at their Call, and beset the Parliament, and* Whitehall *itself; not only to the Prejudice of that Freedom which is necessary to great Councils and Judicatories, but possibly to some personal Danger of your Sacred Majesty, and the Peers.*

The vast Consequence of these Persons Malignity, and of the Licentiousness of those Multitudes that follow them, considered in most deep Care and zealous Affection for the Safety of your Sacred Majesty, and the Parliament; our humble Petition is, that in your Wisdom you would be pleased to remove such Dangers, by punishing the Ring-leaders of these Tumults, that your Majesty and the Parliament may be secured from such Insolencies hereafter. For the suppressing of which, in all Humility we offer our selves to wait upon you (if you please) hoping we shall appear as considerable in the Way of Defence to our gracious Sovereign, the Parliament, our Religion, and the established Laws of the Kingdom, as what Number soever shall audaciously presume to violate them: So shall we, by the Wisdom of your Majesty and the Parliament, not only be vindicated from precedent Innovations, but be secured from the future, that are threatned, and likely to produce more dangerous Effects than the former:

And we shall pray, &c.

Give

Give me leave to make ſome Remarks upon this *Petition*, in order to ſhow that it cannot be the ſame that was communicated to the King and ſubſcribed by him with the two Letters, *C. R.* as a Token of his Approbation. 1641. *Reaſons to ſhow that this is not the true Petition which was communicated to the King.*

In the firſt Place, it evidently appears that this was drawn up at *London*, preciſely at the very time when the Multitudes were got together at *Weſtminſter*, which happened not till the 3d and 4th of *May*, there having been no ſuch Concourſe of People before, and this laſting but two Days. But it will be ſeen hereafter that the King himſelf ſaid, that this *Petition*, upon which he writ *C. R.* was brought to him from the Army, and that after having read it, he approved of it, as containing no Hurt. If the *Petition* which was communicated to the King had been drawn up in the Army, it cannot be this here. Since they that penned it could not foreſee the riotous Aſſemblies at *Weſtminſter* on the 3d and 4th of *May*, which however they ſpeak of as then in being. And if it was drawn at *London*, as 'tis very likely, it cannot be that which was communicated to the King, ſince he affirmed that it was brought to him from the Army.

It will be ſaid perhaps, that this *Petition* might be penned at *London* the 3d or 4th of *May*, at the Time of the Concourſe, that it was ſent to the Army, and then brought back to *London* to be communicated to the King. But allowing only a Fortnight for thoſe Journies from *London* to *York*, and from *York* to *London*, and for the communicating it to the Officers diſperſed in different Quarters about the Country, the *Petition* would come too late to the King, and he would have been able to make no uſe of it, ſince the Riots were ceaſed, the Earl of *Strafford* dead, and the King had paſſed the Bill for the Continuance of the Parliament. It would have been therefore very prepoſterous for the King to approve of this *Petition* at ſuch a Juncture.

Secondly,

1641. I. 247. Secondly, The Earl of *Clarendon* gives to understand, that this *Petition* was projected and drawn long before the 3d and 4th of *May*, by the very Officers who were afterwards accused of the Conspiracy. He says, after the King had subscribed it, it was carried down to the Army and signed by some Officers, but was suddenly quashed, and no more heard of till the Discovery of the pretended Plot, of which more in its Place. This is a clear Evidence that the *Petition* whereon the King subscribed, *C. R.* had been communicated long before the 3d or 4th of *May*, the Day of the Discovery of the Plot. But if this be so, how could the Authors of the *Petition* speak of the Riots on the 3d and 4th of *May*, as actually in being? The *Petition* the King subscribed cannot therefore be the same that the Lord *Clarendon* has inserted in his History.

In the third Place, The Officers who had designed to gain the Army to the King, and who according to the Lord *Clarendon* projected likewise the *Petition* to the King and Parliament which was approved by his Majesty, proposed as their End, *to preserve the Bishops Votes and Functions, to hinder the disbanding the* Irish *Army till that of the* Scots *was disbanded too*, and *to settle the King's Revenues.* But in the Petition above, there's not one Word of any of these Articles *.

Lastly,

* *Whitlock's* Account of this Matter, is thus; The Officers put themselves into a *Junto* of sworn Secrecy, drew up some Heads by way of *Petition* to the King and Parliament, *For Money for the Army. Not to disband before the* Scots. *To preserve Bishops Votes and Functions. To settle the King's Revenues.* The Army being tainted from hence, met, and drew up a Letter, or *Petition*, which was shewed to the King, and approved and signed by him with *C. R.* and a Direction to Captain *Leg*, that none should see it but Sir *Jacob Ashley*; the main Drift was, *That the Army might be called up to attend the Safety of the King's Person, and Parliaments Security, or that both Armies might be disbanded.* Whitlock's Memorials, p. 44.

Laſtly, we ſhall ſee hereafter that the King to juſtify his ſigning the *Petition*, ſaid nothing more was required in it, than the ſettling of the Government upon the ſame Foot it was under Queen *Elizabeth*. But in the *Petition* given us by the Lord *Clarendon* as That the King ſubſcribed, there is nothing like it, *Elizabeth* not being ſo much as named therein. 1641.

Before I conclude this Matter, I muſt not omit what has been ſaid concerning *Percy*'s Letter to his Brother the Earl of *Northumberland*. 'Tis pretended that *Percy*, endeavouring to eſcape into *France*, was known at the Sea-ſide, and wounded by ſome Perſons who would have ſtopped him: That getting out of their Hands and flying to the Earl of *Northumberlands*, that Lord prevailed with ſome of the Leading Men of the *Commons*, that his Brother's Eſcape ſhould be connived at, on Condition he would write the Letter above-mentioned, as if it was writ in *France*. It is eaſy to perceive that the Drift of this is to cauſe the Relation in that Letter to be ſuſpected of Falſhood. But I don't find it is poſitively affirmed, or that any Proofs are produced to ſhow the Forgery. The whole amounts to a bare Aſſertion that the Conſpiracy in Queſtion was a Fiction, a Chimera, a Calumny: That the Parliament curtailed the Depoſitions of the Witneſſes, omitting every Thing that made for the King: That the Conferences in *Percy*'s Chamber, were free Converſations between ſome Friends, of whom ſome were Members of Parliament: That the Depoſitions of the Witneſſes were fitter to demonſtrate there was never any Conſpiracy to ſeduce the Army, than to prove there was any ſuch Thing in reality. But upon all this, we muſt take as good Proofs, the bare Word of thoſe who relate theſe Facts, which they have not cleared in the leaſt (*a*).

Doubts concerning Percy's *Letter.*

Clarend. I. p. 267, *&c.*

As

(*a*) Mr. *Nalſon*, who took upon him to juſtify the King againſt the falſe Accuſations of his Enemies, as he ſays himſelf in his Introduction, paſſes over this Article very ſlightly. *See the End of Vol. I. of his Collections.*

1641. As the King was frequently reproached with this Conspiracy afterwards, I thought it necessary to give a just Notion of the Thing, that the Reader may be the better able to judge of the Objections and Answers I shall have frequent occasion to mention. It is time now to proceed to the Lord *Strafford*'s Tryal.

The Earl of Strafford's Tryal.

If it is not taken for granted, that *Charles* I. from the beginning of his Reign to the Time of this last Parliament, had formed a Design to establish in *England* an Arbitrary Government, it would be almost impossible to understand fully his History, and particularly this second Part. But upon this Supposition, which to me appears incontestable, all Difficulties vanish. One is not surprized to see the King's Council, his Ministers, Favourites, the *Star-Chamber*, *High-Commission*, Judges of the Realm, in a Word, all Persons in Publick Employments, intent upon one single Affair, I mean the stretching the Royal Authority as far as lay in their Power. One is not surprized to see the implacable Hatred of the *House* of *Commons* towards the King's Ministers, and particularly towards those who were most trusted by his Majesty, and believed to be the chief Authors of the publick Evils. Among these, the Earl of *Strafford* was looked upon as the most dangerous, because the most able, and because his two High-Posts of President of the *Court of York*, and Lord-Lieutenant of *Ireland*, afforded him frequent Opportunities to serve the King effectually, and help him in the Execution of his Designs. Accordingly he was the first the *Commons* attacked, eight Days after the opening of the Parliament. The Impeachment and Tryal of this Lord, contains abundance of remarkable Things, some whereof are, as I may say, above the Comprehension of Foreigners, by Reason of the great Difference between the Laws and Customs of *England*, and those of other States. It would therefore be too difficult a Task for me to undertake to give a particular Account of all the Circumstances of this famous Tryal, which have been collected and put into a large

a large Folio. For this Reaſon I ſhall content my ſelf to give a general Notion of it, ſuch as I ſhall think proper to ſatisfy the Reader's Curioſity. 1641. Ruſh. Vol. VIII. *of the new Edition.* Nalſon, II. *p.* 1--206.

There is no doubt, that when the *Commons* impeached the Earl of *Strafford*, his Ruin was reſolved by the Leading-Men of that *Houſe*. The Earl being looked upon as of greateſt Credit, and moſt in Favour of all the King's Miniſters, and as the principal Author of the Miſeries of the Kingdom, this was ſufficient to make it thought requiſite to ſacrifice him to the Publick. I do not think it neceſſary to ſeek after other Motives of this Reſolution, or to aſcribe it to more hidden Cauſes. Since the Parliament undertook to redreſs *Grievances*, and reſtore the Government to its ancient State, nothing was more natural than to puniſh ſuch as had helped to unhinge it, and among theſe the Earl of *Strafford* was the Principal, and conſequently the fitteſt to ſerve for an Example to thoſe who ſhould in time to come, ingage in the like Attempt. But beſides this, he had made himſelf many Enemies, by his imperious Behaviour, to which great Miniſters who are ſecure of their Maſter's Favour, are genreally but too liable. Moreover he had deſerted the People's Intereſt, after having ſtrenuouſly maintained it whilſt a Member of the *Houſe* of *Commons*, and devoted himſelf entirely to the King. This was enough to render him odious, and the *Commons* when they impeached him, knew very well they could not do any Thing more grateful to the People. He was therefore accuſed of High-Treaſon, not that within the ſhort ſpace ſince the opening of the Parliament the *Commons* could have any Aſſuranee of his being guilty of that Crime, but upon a certain publick Evidence, and the inward Conviction of the major Part of the Members. After his being ſent to the *Tower* upon this Impeachment, the *Houſe* conſidered of the Articles on which they were to ground the Charge, and when they were brought to the Lords, Proofs were ſought after to make them good.

Theſe

1641. These Articles, to the Number of Twenty-eight, tended to prove in general, that the Earl of *Strafford* had endeavoured to subvert the fundamental Laws of the State, and set up an Arbitrary Power. So, though each of the pretended Crimes whereof he was accused, could not be accounted High-Treason, the *House* would have it, that all together manifestly showed the End he drove at, and the Means he had employed to attain it. The Substance of the Twenty-eight Articles is as follows:

Articles of Accusation against the Earl of Srrafford, Jan. 30. 1640. *Rush.* VIII. Nalson, II. p. 10.

" I. That he being President of the King's Council in the North-Parts of *England*, had procured " to himself a Commission with Instructions annexed, whereby Power was given to him, to determine all Offences, Suits, *&c.* within certain Precincts therein specified, and in such manner as the " said Instructions did appoint, according to the " Proceedings of the Star-Chamber. By Virtue of " which Commission, he had exercised an exorbitant and unlawful Jurisdiction over the Persons " and Estates of his Majesty's Subjects in those Parts, " to their Ruin.

" II. That at the Assizes held for the County of " *York*, he did publickly declare and publish before " the People, that some of the Justices were all for " Law, and nothing would please them but Law; " but they should find, *That the King's little Finger " should be heavier than the Loyns of the Law.*'

" III. That being Lord-Deputy of *Ireland*, he " did say in a publick Speech, That *Ireland* was a " conquered Nation, and that the King might do " with them what he pleased: And speaking of the " Charters of former Kings of *England*, made to " the City of *Dublin*, he further then said, that their " Charters were nothing worth, and did bind the " King no farther than he pleased.

" IV. That *Richard* Earl of *Cork*, a Peer of *Ire-* " *land*, having sued out Process in Course of Law, " for recovery of his Possessions, from which

" he was put, by Colour of an Order made by the " Lord *Strafford*, and the Council; he, the ſaid Lord " *Strafford*, threatened the ſaid Earl to impriſon " him, unleſs he would ſurceaſe his Suit, and ſaid, " that he would have neither Law nor Lawyers diſ- " pute or queſtion his Orders. 1641.

" That the ſaid Earl of *Cork* having conteſted the " Validity of an Order of Council made in *Ireland*, " in the Time of King *James* I, the Lord *Strafford* " had ſaid, that he would make the ſaid Earl and " all *Ireland* know, that ſo long as he had the Go- " vernment of that Kingdom, any Act of State " there made or to be made, ſhould be as binding " to the Subjects of that Kingdom, as an Act of " Parliament. And that he did ſundry other Times, " and upon ſundry other Occaſions, by his Words " and Speeches, arrogate to himſelf a Power above the " Fundamental Laws, and eſtabliſhed Government " of that Kingdom, and ſcorned the ſaid Laws and " eſtabliſhed Government.

" V. That he did give, and procure to be given, " againſt the Lord *Mountnorris*, (then a Peer of *Ire-* " *land*, Vice-Treaſurer, and Receiver-General of that " Kingdom, and Treaſurer at War, and one of the " Principal Secretaries of State, and Keeper of the " Privy-Signet of the ſaid Kingdom,) a Sentence of " Death by a Council of War, called together by " the ſaid Earl of *Strafford*, without any Warrant, " or Authority of Law, or Offence deſerving any " ſuch Puniſhment.

" And he the ſaid Earl, did alſo at *Dublin*, without " any legal or due Proceedings, or Tryal, give, " and cauſe to be given a Sentence of Death againſt " one other of his Majeſty Subjects; and cauſed " him to be put to Death in Execution of the ſame " Sentence.

" VI. That without any legal Proceedings, and " upon a Paper-Petition, he did cauſe the ſaid Lord " *Mountnorris* to be diſſeized and put out of his Man- " nor of *Tymore* in the Kingdom of *Ireland*; the ſaid

1641. " ſaid Lord *Mountnorris* having been 18 Years be-
" fore in quiet Poſſeſſion thereof.

" VII. That he did cauſe a Caſe, commonly called
" *the Caſe of Tenures upon defective Titles*, to be made
" and drawn up without any Jury or Tryal, or o-
" ther legal Proceſs, and without the Conſent of Par-
" ties, and did then procure the Judges of the Realm
" of *Ireland* to deliver their Opinions and Reſoluti-
" ons to that Caſe, and by Colour of ſuch Opinion,
" did without any legal Proceeding, cauſe *Thomas*
" Lord *Dillon*, and many others to be put out of
" the Poſſeſſion of divers Lands and Tenements,
" whereby many of his Majeſty's Subjects, and their
" Families were utterly undone.

" VIII. That without any legal Proceſs, he had
" made a Decree or Order againſt *Adam* Viſcount *Lof-*
" *tus*, a Peer, and Lord-Chancellor of *Ireland*, and
" did cauſe the ſaid Viſcount to be impriſoned, on pre-
" tence of Diſobedience to the ſaid Decree or Order.
" That afterwards, without any Authority, he requi-
" red and commanded the ſaid Lord Viſcount to yield
" up unto him the Great-Seal of the Realm of *Ireland*,
" which was then in his Cuſtody, by his Majeſty's
" Command, and impriſoned the ſaid Chancellor for
" not obeying ſuch his Command.

" That he did impriſon *George* Earl of *Kildare*,
" thereby to enforce him to ſubmit his Title to
" the Mannor and Lordſhip of *Caſtle-leigh* in the
" Queen's Country, being of great yearly Value to
" the ſaid Earl of *Strafford*'s Will and Pleaſure, and
" kept him a Year Priſoner for the ſaid Cauſe; and
" refuſed to enlarge him, notwithſtanding his Ma-
" jeſty's Letters for his Enlargement to the ſaid Earl
" of *Strafford* directed.

" That upon a Petition exhibited to him againſt
" Dame *Mary Hibbots*, Widow; the ſaid Earl of *Straf-*
" *ford* recommended the ſaid Petition to the Coun-
" cil-Table of *Ireland*, where the moſt part of the
" Council gave their Vote and Opinion for the ſaid
" Lady; but the ſaid Earl finding fault herewith,

cauſed

" caused an Order to be entered against the said 1641
" Lady, and threatned her, that if she refused to
" submit thereunto, he would imprison her, and
" fine her five Hundred Pounds; that if she conti-
" nued obstinate, he would continue her Impriſon-
" ment, and double her Fine every Month; by
" means whereof she was enforced to relinquish her
" Estate in the Lands questioned in the said Petition,
" which shortly after were conveyed to Sir *Robert*
" *Meredith*, to the use of the said Earl of *Strafford*.

" That the said Earl in like manner did imprison
" divers others of his Majesty's Subjects, upon the
" like Pretences, *&c.*

" IX. That the said Earl assuming to himself a
" Power above and against Law, took upon him by
" a general Warrant under his Hand, to give Power
" to the Lord Bishop of *Down* and *Connor* his Chan-
" cellor, *&c.* to attach and arrest the Bodies of all
" such of the meaner and poorer sort, who after Ci-
" tation should either refuse to appear before them,
" or appearing, should omit or deny to perform, or
" undergo all lawful Decrees, Sentences and Orders
" imposed, or given out against them, and them to
" commit and keep in the next Goal, untill they
" should either perform such Sentences, or put in
" sufficient Bail to shew some Reason before the
" Council-Table, of such their Contempt and Neg-
" lect.

" X. That he had procured the Customs of the
" Merchandize Exported out, and Imported into
" *Ireland*, to be framed to his own use. And, to ad-
" vance his own Gain and Lucre, did cause and pro-
" cure the native Commodities of that Kingdom, to
" be rated in the Book of Rates for the Customs, ac-
" cording to which the Customs, at far greater Va-
" lues and Prices than in Truth they were worth;
" that is to say, every Hide at Twenty Shillings,
" which in Truth was worth but Five Shillings, every
" Stone of Wool at Thirteen Shillings Four-pence,
" though the same were really worth but Five Shil-

1641. " lings, at the utmoſt Nine; by which means the " Cuſtom, which before was but a Twentieth Part " of the true Value of the Commodity, was enhan- " ced ſometimes a Fifth Part, and ſometimes to a " Fourth, and ſometimes to a Third Part of the " true Value.

" XI. That the ſaid Earl did reſtrain the Expor- " tation of the Commodities of the Kingdom of " *Ireland*, without his Licence; and then raiſed great " Sums of Money for Licences of Exportation of " thoſe Commodities, and Diſpenſation of the ſaid " Reſtraints impoſed on them, by which means " thoſe Commodities were raiſed above half in " half.

" XII. That under Colour to regulate the Impor- " tation of Tobacco into *Ireland*, he did iſſue a " Proclamation, prohibiting the Importation of To- " bacco into that Kingdom; after which Reſtraint, " the ſaid Earl cauſed divers great Quantities of To- " bacco to be imported to his own uſe: That if any " Ship brought Tobacco into any Port there, the " ſaid Earl and his Agents uſed to buy the ſame to " his own uſe, at their own Price; and if the Own- " ers refuſed to let him have the ſame at undue Va- " lues, then they were not permitted to vent the " ſame there; by which undue Means, the ſaid Earl " having gotten the whole Trade of Tobacco into " his own Hands, he ſold it at great and exceſſive " Prices.

" That by a Proclamation he commanded that " none ſhould put to Sale any Tobacco by wholeſale, " but what ſhould be made up into Rolls, and the " ſame ſealed with two Seals by himſelf appointed, " one at each end of the Roll: And ſuch as was not " ſealed to be ſeized, appointing Six-pence the " Pound for a Reward to ſuch Perſons as ſhould ſeize " the ſame. Which Proclamation was rigorouſly " put in Execution, by ſeizing the Goods, fining, " impriſoning, whipping, and putting the Offenders " in the Pillory. And though he enhanced the Cuſ-

" toms, where it concerned the Merchants in general, 1641.
" yet he drew down the Impoſt formerly taken on
" Tobacco, from Six-pence to Three-pence the
" Pound, it being for his own Profit ſo to do.

" That he raiſed ſeveral other Monopolies and un-
" lawful Exactions for his own Gain, *viz.* on Starch,
" Iron-pots, Glaſſes, Tobacco-pipes, *&c.*

" XIII. That Flax being one of the principal and
" native Commodities of *Ireland*, the ſaid Earl ha-
" ving gotten great Quantities thereof into his Hands,
" and growing on his own Lands, did iſſue out ſe-
" veral Proclamations, preſcribing and enjoining the
" working of Flax into Yarn and Thread, and the
" ordering of the ſame in ſuch ways wherein the Na-
" tives of that Kingdom were unpractiſed and un-
" skilful; and the Flax wrought or ordered in other
" manner than as the ſaid Proclamation preſcribed,
" was ſeized and employed to the Uſe of him and his
" Agents, and thereby the ſaid Earl did gain in effect
" the ſole Sale of that native Commodity.

" XIV. That the ſaid Earl, by Proclamation, did
" impoſe upon the Owners, Maſters, Purſers, and
" Boatſwains of every Ship, a new and unlawful
" Oath, *viz.* That they immediately after the Ar-
" rival of any Ship within any Port or Creek in the
" Kingdom of *Ireland*, ſhould give in a true Invoice
" of the outward Bulk of Wares and Merchandizes
" firſt laden aboard them, together with the ſeveral
" Marks and Number of Goods, and their Qualities
" and Condition, the Names of the ſeveral Mer-
" chants, Proprietors of the ſaid Goods, and the
" Place from whence they were fraughted, and whi-
" ther they were bound, *&c.*

" XV. That by his own Authority, without any
" Warrant or Colour of Law, he did tax and im-
" poſe great Sums of Money upon divers Towns and
" Places in *Ireland*; and did cauſe the ſame to be
" levied upon the Inhabitants of thoſe Towns by
" Troops of Soldiers, with Force of Arms, in a
" warlike Manner; and ſent ſuch Numbers of Sol-

1641. " diers to lie on the Lands and Houſes of ſuch as " would not conform to his Orders, until they ſhould " render Obedience to his ſaid Orders; and this he " did at ſeveral times and in divers places, by which " means he levied War within the ſaid Realm againſt " his Majeſty and his Liege-People of that King- " dom.

" XVI. That the ſaid Earl did make a Propoſiti- " on, and obtained from his Majeſty an Allowance " thereof, That no Complaint of Injuſtice or Op- " preſſion done in *Ireland*, ſhould be received in " *England* againſt any, unleſs it appeared that the " Party made firſt his Addreſs to him the ſaid Earl. " And to prevent the Subjects of that Realm of all " means of Complaints to his Majeſty and of Redreſs " againſt him and his Agents, he did iſſue a Procla- " mation, thereby commanding all the Nobility, " Undertakers and others, who held Eſtates and Of- " fices in the ſaid Kingdom, to make their perſonal " Reſidence in the ſaid Kingdom of *Ireland*, and not " to depart thence without Licence of himſelf; " which Proclamation the ſaid Earl had by ſeveral " rigorous Ways, as by Fine, Impriſonment, and " otherwiſe, put in Execution; by means whereof the " Subjects of that Realm were reſtrained from ſeek- " ing Relief againſt the Oppreſſions of the ſaid " Earl.

" XVII. That ſpeaking of the Army in *Ireland*, " he did declare, That his Majeſty was ſo well pleaſed " with the Army of *Ireland*, and the Conſequences " thereof, that his Majeſty would certainly make the " ſame a Pattern for all his Three Kingdoms.

" XVIII. That, in order to draw Dependency upon " himſelf of the Papiſts in both Kingdoms of *Eng-* " *land* and *Ireland*, during the Time of his Govern- " ment in *Ireland*, he reſtored divers *Fryeries* and " *Maſs* Houſes, (which had been formerly ſuppreſ- " ſed by the precedent Deputies of that Kingdom; " two of which Houſes are in the City of *Dublin*,

" and

" and had been aſſigned to the Uſe of the Univerſity 1641.
" there) to the pretended Owners thereof.

" That in the Months of *May* and *June* laſt, the " ſaid Earl did raiſe an Army in *Ireland*, conſiſting " of Eight Thouſand Foot, all of which, except " One [Thouſand] or thereabouts were *Papiſts*; " and the ſaid One Thouſand were drawn out of the " old Army there, and in their places there were a " Thouſand Papiſts put into the ſaid old Army by " the ſaid Earl.

" That the more to engage and tie the ſaid new Ar- " my of *Papiſts* to himſelf, and to encourage them, he " did ſo provide, That the ſaid new Army of *Papiſts* " were duly paid, *&c.* but the ſaid old Army were " for the ſpace of one whole Year and upwards " unpaid.

" That being appointed a Commiſſioner within " Eleven ſeveral Counties of the *northern* Parts of " *England*, for compounding with Recuſants for their " Forfeitures due to his Majeſty; and being alſo Re- " ceiver of the Compoſition-Money thereby ariſing, " he did compound with them at low and under " Rates, and provided, that they ſhould be diſ- " charged of all Proceedings againſt them in all his " Majeſty's Courts, both Temporal and Eccleſiaſti- " cal, contrary to the Laws and Statutes of this " Realm.

" XIX. That he did of his own Authority con- " trive and frame a new and unuſual Oath, by the " Purport whereof, the Party taking the ſaid Oath, " was to ſwear that he ſhould not proteſt againſt any " of his Majeſty's Royal Commands, but ſubmit " himſelf in all due Obedience thereunto. Which " Oath he enforced on the Subjects of the *Scotiſh* Na- " tion inhabiting in *Ireland*; and compelled divers " of his Majeſty's ſaid Subjects there to take the ſaid " Oath againſt their Wills; and of ſuch as refuſed " to take it, ſome he grievouſly fined and impriſoned, " and others he deſtroyed and exiled. Namely, he " fined *Henry Steward* and his Wife, who refuſed to

1641. "take the ſaid Oath, 5000 *l.* a-piece, and their two "Daughters and *James Gray* 3000 *l.* a-piece, and im-"priſoned them for not paying the ſaid Fines.

"That he did upon that occaſion declare, That the "ſaid Oath did not only oblige them in point of Al-"legiance to his Majeſty, and Acknowledgment of "his Supremacy only, but to the Ceremonies and "Government of the Church eſtabliſhed, and to be "eſtabliſhed by his Majeſty's Royal Authority, and "ſaid, That the Refuſers to obey he would proſe-"cute to the Blood.

"XX. That he was the chief Incendiary of the "laſt War againſt the *Scotiſh* Nation, by inciting "and provoking his Majeſty againſt his Subjects of "*Scotland*; and had declared and adviſed his Majeſty, "that the Demands made by the *Scots* in their Par-"liament, were a ſufficient Cauſe of War againſt "them: That he ſaid, that the Nation of the *Scots* "were Rebels and Traytors; and he being then a-"bout to come to *England*, further ſaid, That if it "pleaſed his Majeſty to ſend him back again, he "would root out of the Kingdom of *Ireland* the *Sco-"tiſh* Nation both Root and Branch: That he had "cauſed divers of the Ships and Goods of the *Scots* "to be ſtayed, ſeized and moleſted, to the Intent to "ſet on the War between the two Nations.

"XXI. That at his Arrival into *England*, finding "that his Majeſty had compoſed the Troubles in the "*North*, and made a Pacification with his Subjects of "*Scotland*, he laboured by all means to procure his "Majeſty to break that Pacification. And having "incited his Majeſty to an offenſive War againſt his "*Scotiſh* Subjects, he counſelled his Majeſty to call "a Parliament in *England*, yet he intended that if "the Proceedings of that Parliament ſhould not be "ſuch as would ſtand with his miſchievous Deſigns, "he would then procure his Majeſty to break the "ſame; and by ways of Force and Power to raiſe "Moneys upon the Subjects of this Kingdom. And "for the Encouragement of his Majeſty to hearken

"to

" to his Advice, he did before his Majeſty and his 1641
" Privy-Council, then ſitting in Council, make a
" large Declaration, that he would ſerve his Majeſty
" in any other way, in caſe the Parliament ſhould
" not ſupply him.

" XXII. That before the Beginning of the laſt
" Parliament, the ſaid Earl of *Strafford* went into
" *Ireland*, and procured the Parliament of that King-
" dom to declare their Aſſiſtance in a War againſt
" the *Scots*, and gave Directions for the raiſing of
" an Army there, conſiſting of Eight Thouſand
" Foot, and One Thouſand Horſe, being for the
" moſt part *Papiſts*, as aforeſaid. And confedera-
" ting with one Sir *George Ratcliffe*, did together
" with him traiterouſly conſpire to employ the ſaid
" Army, for the Ruin and Deſtruction of the King-
" dom of *England*, and of altering and ſubverting
" of the fundamental Laws, and eſtabliſhed Govern-
" ment of that Kingdom.

" Shortly after, the ſaid Earl returned into *Eng-*
" *land*, and to ſundry Perſons declared his Opinion to
" be, That his Majeſty ſhould firſt try the Parlia-
" ment here, and if that did not ſupply him accord-
" ing to his Occaſions, he might uſe then his Pre-
" rogative as he pleaſed, to levy what he needed;
" and that he ſhould be acquitted both of God and
" Man, if he took ſome other Courſes to ſupply him
" ſelf, tho' it were againſt the Wills of his Subjects.

" XXIII. That upon the Thirteenth Day af *April*
" laſt, the Parliament of *England* met, and the Com-
" mons Houſe did enter into Debate and Conſide-
" ration of the Grievances of this Kingdom, he the
" ſaid Earl of *Strafford*, and the Archbiſhop of *Can-*
" *terbury*, did procure his Majeſty by ſundry Speech-
" es and Meſſages, to urge the ſaid Commons
" Houſe, to enter into ſome Reſolution for his Ma-
" jeſty's Supply, for Maintenance of his War a-
" gainſt his Subjects of *Scotland*, before any Courſe
" taken for the Relief of the Grievances wherewith
" this Kingdom was then afflicted; whereupon a

1641. "Demand was then made from his Majeſty of "Twelve Subſidies, for the Releaſe of *Ship-Money* "only. And while the ſaid Commons were in De- "bate and Conſideration concerning ſome Supply, "before any Reſolution by them made, he the ſaid "Earl of *Strafford*, with the Help and Aſſiſtance of "the ſaid Archbiſhop, did procure his Majeſty to "diſſolve the ſaid Parliament; and upon the ſame "Day, the ſaid Earl did endeavour to incenſe his "Majeſty againſt his Subjects, who had been "Members of the ſaid Houſe of Commons, by "telling his Majeſty they had denied to ſupply him; "and afterwards upon the ſame Day, did adviſe his "Majeſty to this effect, That having tryed the Af- "fections of his People, he was looſe and abſolved "from all Rules of Government; and that he was "to do every thing that Power would admit; and "that his Majeſty had tried all ways, and was re- "fuſed, and ſhould be acquitted toward God and "Man; and that he had an Army in *Ireland*, which "he might employ to reduce this Kingdom.

"XXIV. That in the ſame Month of *May*, he "declared before others of his Majeſty's Privy- "Council, That the Parliament of *England* had for- "ſaken the King, and that in denying to ſupply the "King, they had given him advantage to ſupply "himſelf by other ways; and that he was not to "ſuffer himſelf to be maſtered by the Frowardneſs "and Undutifulneſs of the People.

"And having ſo maliciouſly ſlandered the ſaid "late Houſe of Commons, he did, with the Help "and Advice of the ſaid Archbiſhop of *Canterbury*, "and the Lord *Finch*, late Lord-Keeper of the Great- "Seal of *England*, cauſe to be printed and publiſhed "in his Majeſty's Name, a falſe and ſcandalous "Book, full of bitter and malicious Invectives, "entitled, *His Majeſty's Declaration of the Cauſes that "moved him to diſſolve the laſt Parliament.*

"XXV. That

" XXV. That not long after he the ſaid Earl of 1641.
" *Strafford* did adviſe the King to go on vigorouſly
" in levying the *Ship-Money*, and did procure the
" Sheriffs of ſeveral Counties to be ſent for, for not
" levying the Ship-Money, divers of which were
" threatned by him, to be ſued in the *Star-Cham-*
" *ber*.

" And a great Loan of One Hundred Thouſand
" Pounds was demanded of the City of *London*, and
" the Lord-Mayor, and Sheriffs, and Aldermen of
" the ſaid City, were often ſent for by his Advice to
" the Council-Table, and required to certify the
" Names of ſuch Inhabitants of the City as were
" fit to lend; which they with much Humility re-
" fuſing to do, he the ſaid Earl of *Strafford* did uſe
" theſe and the like Speeches, *viz.* That they de-
" ſerved to be put to Fine and Ranſom; and that
" no good would be done with them, till an Exam-
" ple were made of them, and that they were laid
" by the Heels, and ſome of the Aldermen hanged
" up.

" XXVI. That the ſaid Earl having brought his
" Majeſty into exceſſive Charge, without any juſt
" Cauſe, did counſel and approve the two following
" dangerous and wicked Projects, *viz.*

" To ſeize upon the Bullion, and the Money in
" the Mint: And to imbaſe his Majeſty's Coin, with
" the Mixtures of Braſs.

" And accordingly he procured One Hundred
" and Thirty Thouſand Pounds, which was then in
" the Mint, and belonging to divers Merchants,
" Strangers and others to be ſeized on, and ſtayed
" to his Majeſty's Uſe. And when divers Mer-
" chants of *London*, Owners of the ſaid Bullion and
" Money, came to his Houſe, to let him underſtand
" the great Miſchief that Courſe would produce here
" and in other Parts; he the ſaid Earl told them,
" That the City of *London* dealt undutifully and un-
" thankfully with his Majeſty; and that they were

" more

1641 " more ready to help the Rebels than to help his " Majesty: And that if any hurt came to them they " may thank themselves; and that it was the Course " of other Princes to make use of such Moneys to " serve their Occasions.

" And when the Officers of his Majesty's Mint " came to him, and gave him divers Reasons against " the imbasing the said Money; he told them that " the *French* King did use to send Commissioners of " Horse, with Commission to search into Mens " Estates, and to peruse their Accounts, that so " they may know what to levy of them by force, " which they did accordingly levy; and turning " to the Lord *Cottington* then present, said, That " this was a Point worthy of his Lordship's Consi- " deration.

" XXVII. That he was made Lieutenant-General " of all his Majesty's Forces in the *North*; and being " at *York*, did, by his own Authority, impose a " Tax on his Majesty's Subjects in the County of " *York* of Eight-pence *per diem*, for Maintenance of " every Soldier of the Train'd-bands of that County; " wich Sums of Money he caused to be levied by " force. And to compel his Majesty's Subjects out " of fear to pay the same; he did declare, that he " would commit them that refused the Payment " thereof; and they that refused it, were in very " little better Condition than of High-Treason.

" XXVIII. That being Lieutenant-General of his " Majesty's Army, he did not provide for the De- " fence of the Town of *Newcastle* as he ought to " have done, but suffered the same to be lost, that " so he might the more incense the *English* against " the *Scots*.

" And for the same purpose he did write to the " Lord *Conway*, the General of the Horse, that " he should fight with the *Scotish* Army at the " Passage over the *Tyne*, whatsoever should fol- " low; notwithstanding that the said Lord *Con-*

" *way*

"*way* had formerly by Letters informed the said "Earl, that his Majesty's Army, then under his "Command, was not of Force sufficient to en- "counter the *Scots*." 1641.

Committee from the Parliament of Ireland *to complain of the Earl of* Strafford. Rush. IV. p. 220.

The Parliament of *Ireland* was no sooner informed that the Earl of *Strafford* was in the *Tower*, but they sent a Committee of both *Houses* to *England*, to lay before the Parliament *Remonstrances* concerning the *Grievances* the *Irish* endured, under that Lord's Administration. But as these *Remonstrances* contained hardly any thing but what is in the Twenty-eight Articles above, I do not think it necessary to insert them here.

Reasons for and against the Earl.

This Process was not ready to be judged till the 22d of *March* 1640--1, and lasted till the 12th of *April*. It would be too long-winded a Work to give a particular Account of the Proofs, Depositions of Evidences, Answer of the Party accused upon each Article, and Replies of the *Commons*. To give a general Idea of the Thing, it will suffice to say in two words, that the Impeachment running wholly upon the Earl of *Strafford*'s pretended Intention to subvert the fundamental Laws of the Kingdom, the greatest Part of the Crimes he was accused of could not be accounted as Crimes of High-Treason but on Supposition of this same Intention. And therefore the Managers * insisted upon every one of the Articles in order to prove this Intention, maintaining that though each of them by it self was not capable of proving it, they were however all together a Demonstration of the same. But besides, that each of these Articles was not equally well proved, it remained

* *George* Lord *Digby*, *John Hambden*, *John Pym*, *Oliver St. John*, Sir *Walter Earle*, *Jeoffery Palmer*, *John Mainard*, *John Glyn*. Rush. VIII. p. 40. The Earl of *Arundel* was Lord-High-Steward upon this Occasion.

1641. mained alſo to decide, whether the Intention could render a Man guilty of Treaſon. The Council for the Earl of *Strafford* maintained that although by the Law, the bare Intention of killing the King was High-Treaſon, it did not follow that the Intention could be conſidered upon the ſame Foot, with reſpect to other kinds of Treaſon, on which the Law had not decided in the ſame manner. On the other Hand, the Earl of *Strafford* ſhowed that none of the particular Crimes he was charged with, could be deemed Treaſon, and that a Hundred *Felonies* could never make one Treaſonable Crime. But this Diſpute concerned only the Nature of the Offence, in which the Accuſed had a great Advantage, eſpecially if it be conſidered that in *England*, in Criminal Caſes, the Judges are exceeding careful not to miſtake, and to attend only to what proves directly the Nature of the Offence contained in the Indictment. If the *Commons* had been ſatisfied with accuſing the Earl of *Strafford* of *Felony*, or Miſdemeanours, very probably they would have obtained a ſpeedy Sentence againſt him. But having ſolely impeached him of High-Treaſon, it was the Buſineſs of the Peers to condemn or acquit him ſolely upon that ſort of Crime. In the Reign of *Edward* VI, the Duke of *Somerſet* was accuſed of High-Treaſon and Felony. He was acquitted from the firſt, but condemned for the laſt.

As to the reſt, the Earl of *Strafford* defended himſelf with all the Ability, Preſence of Mind, Judgment and Temper that could be expected from a Perſon of his Parts *. So the *Commons* eaſily found that

* *Welwood* obſerves, that he expreſſed in his Defenſe ſuch nervous and moving Flights of Eloquence, as came nothing ſhort of the moſt celebrated Pieces of Antiquity. This appeared from his ſumming up his long Anſwer *extempore*, with this pathetick Concluſion: *My Lords, I have troubled you longer than I ſhould have done, were it not for the Intereſt of theſe dear Pledges, a Saint in Heaven has left me.* ——

At this he ſtopped, pointing to his Children that ſtood by him, and dropt ſome Tears, then went on.

What

that the Lords would very hardly be brought to condemn him. And therefore they thought fit to take another Courſe to attain their Ends. 1641.

The 19th of *April* it was voted by the *Commons*, that the Endeavour of the Earl of *Strafford* to ſubvert the Fundamental Laws of the Realms of *England* and *Ireland*, and to introduce an Arbitrary and Tyrannical Government in both thoſe Kingdoms, was *High-Treaſon*. Two Days after a *Bill of Attainder* was brought in againſt the Earl. The *Bill* was read twice in the Morning, and the third Time in the Afternoon, and paſſed with the Majority of 204 againſt 59, after which it was ſent up to the Lords. *Votes of the* Commons Ruſh. IV. p. 224, 225. Bill of Attainder *paſſed and ſent up to the Lords.*

Among the Oppoſers of the *Bill*, the Lord *Digby* diſtinguiſhed himſelf by a very eloquent Speech, wherein he endeavoured to ſhow, that the condemning the Earl of *Strafford* in that manner was a downright Murder *. Great Exceptions were taken at this Speech, and though the *Houſe* ſeemed at firſt not to *The Lord* Digby's *Speech againſt the* Bill. Ruſh. IV. p. 225.

What I forfeit for my ſelf is nothing, but that my Indiſcretion ſhould extend to my Poſterity, wounds me to the very Soul. You will pardon my Infirmity; ſomething I ſhould have added, but am not able, therefore let it paſs. And now, my Lords, for my ſelf I have been by the Bleſſing of God, taught that the Afflictions of this preſent Life, are not to be compared to that eternal weight of Glory which ſhall be revealed hereafter. And ſo my Lords, even ſo, with all Tranquillity of Mind I freely ſubmit my ſelf to your Judgment, and whether that Judgment be Life or Death, Te Deum Laudamus, p. 46.

* The Lord *Digby* in his Speech has theſe Words: ——— "I "am ſtill the ſame in my Opinions and Affections as to the Earl "of *Strafford*; I confidently believe him to be the *moſt dangerous Miniſter*, the moſt inſupportable to free Subjects that can be "charactered. I believe his Practiſes in themſelves as high, as tyrannical, as any Subject ever ventured upon, and the Malignity "of them hugely aggravated by thoſe rare Abilities of his, where"of God has given him the uſe, but the Devil the Application. "In a Word, I believe him ſtill that grand Apoſtate to the Com"monwealth, who muſt not expect to be pardoned in this World "till he be diſpatched to the other: And yet let me tell you, Mr. "*Speaker*, my Hand muſt not be to that Diſpatch." Thus far a Nobleman, who for his Zeal to the Royal Cauſe, became the moſt obnoxious to the Parliament. *Ruſh.* IV. *p.* 226.

The

1641. to take much notice of it, they ordered afterwards that it ſhould be publickly burnt by the Hangman.

The *Bill of Attainder* had not preſently the Effect the *Commons* wiſhed. The Lords were in no haſte to examine it, or to anſwer the Impatience of the *Commons*. They had a mind firſt to weigh Arguments for and againſt the *Bill*. In this Interval it was that the Peers cauſed Sir *William Balfour* to be examined concerning the Project of letting the Earl of *Strafford* eſcape. Several Thouſands * of Inhabitants of *London* preſented to both *Houſes* a Petition againſt the Earl, ſaying he was ſworn Enemy of the City. The 28th of *April* Mr. *St. John*, in the Name of the *Commons*, made a long Speech to the Lords to prove that the *Bill of Attainder* was not contrary to Law. *May* the 1ſt, the King came to the Parliament, and made the following Speech to both *Houſes*.

Petition againſt the Earl.

St. John's Speech for the Bill.

My LORDS,

The King's Speech in Favour of the Earl of Strafford. Ruſh. IV. p. 239.

" I Had not any Intention to have ſpoken to you
" of this Buſineſs this Day, which is the great
" Buſineſs of the Earl of *Strafford*, becauſe I would
" do nothing that might ſerve to hinder your Occa-
" ſions: But now it comes ſo to paſs, that ſeeing of
" Neceſſity I muſt have part in the Judgment, I
" think it moſt neceſſary for me to declare my Con-
" ſcience therein. I am ſure you all know, that I
" have been preſent at the hearing of this great
" Caſe, from the one end to the other *; and I
" muſt

The Reaſon it ſeems of his being againſt the *Bill of Attainder*, was, becauſe he believed the Earl's *adviſing the King to bring over the Army from* Ireland *to reduce* this *Kingdom*, did refer to the Kingdom of *Scotland*, and not to *England*, the Thing then under Debate, being how to reduce *Scotland*.

* 20,000 ſays *Ruſhworth*, all Men of good Rank and Quality.

* At the Tryal there was a Chair and Cloth of State for the King, on either ſide whereof was a cloſe Gallery for the King, Queen, and Prince to be private. In this Place his Majeſty remained all the Time of the Tryal.

" must tell you, That I cannot in my Conſcience 1641.
" condemn him of High-Treaſon; it is not fit for
" me to argue the Buſineſs; I am ſure you will not
" expect that, *A poſitive Doctrine beſt becomes the*
" *Mouth of a Prince:* Yet I muſt tell you three
" great Truths, which I am ſure no Body knows ſo
" well as my ſelf. 1. That I never had any Intention
" of bringing over the *Iriſh* Army into *England*;
" nor ever was adviſed by any Body ſo to do. 2.
" That there was never any Debate before me, nei-
" ther in publick Council, nor at private Committee,
" of the Diſloyalty of my *Engliſh* Subjects, nor ever
" had I any Suſpicion of them. 3. I was never
" counſelled by any to alter the leaſt of any of the
" Laws of *England*, much leſs to alter all the Laws.
" Nay, I muſt tell you this, I think no Body durſt
" ever be ſo impudent to move me in it; for if
" they had, I ſhould have put ſuch a Mark upon
" them, and made them ſuch an Example, that all
" Poſterity ſhould know my Intentions by it; for
" my Intention was ever to govern according to
" Law, and no otherwiſe (*a*).

" I deſire to be rightly underſtood. I told you in
" my Conſcience I cannot condemn him of High-
" Treaſon; yet I cannot ſay I can clear him of
" Miſdemeanours: Therefore I hope you may find
" a way to ſatisfy Juſtice, and your own Fears, and
" not preſs upon my Conſcience. *My Lords*, I hope
" you know what a tender Thing CONSCIENCE
" is: Yet I muſt declare unto you, That to ſatisfy
" my People I would do great Matters: But this of
" Conſcience, no Fear, no Reſpect whatſoever,
" ſhall ever make me go againſt it. Certainly I
" have not ſo ill deſerved of the Parliament at this
" Time, that they ſhould preſs me in this tender
" Point; and therefore I cannot expect that you will
" go about it.

" Nay,

(*a*) It is very hard to reconcile this Aſſertion of the King's with his Government the firſt fifteeen Years of his Reign.

1641. "Nay, I must confess for Matters of Misdemeanours, I am so clear in that, that though I will not chalk out the way, yet let me tell you, That I do think my Lord *Strafford* is not fit hereafter to serve me, or the Commonwealth, in any Place of Trust, no, not so much as that of a Constable. Therefore I leave it to you, my Lords, to find some such way as may bring me out of this great Streight, and keep our selves, and the Kingdom from such great Inconveniencies; certainly he that thinks him guilty of High-Treason in his Conscience may condemn him of Misdemeanours."

This Speech has a quite different Effect to the King's Intention.

This Speech had a quite different Effect to what the King expected. So the Earl of *Clarendon* hints, that the Lord *Say* advised the King to it, in order to draw him into a Snare, and render the Earl of *Strafford*'s Ruin more certain *. The *Commons* were highly offended with it, saying, it was an unprecedented Thing, that the King should meddle with *Bills* before they were presented to him, and that it was a Means to take away the Freedom of Votes, and immediately adjourned till *Monday*, the 3d of *May*.

The Lords pass the Bill of Attainder.

On that Day it was that the Rabble of *London* flocked together at *Westminster*. And on the same Day the House of *Commons* drew up the *Protestation* before-mentioned, and on the Morrow, the 4th of *May*, the Lords approved of the same, and passed the *Bill of Attainder* against the Earl of *Strafford*, there being not above Forty-six Lords in the *House*, of the Fourscore who had constantly been present at the

* When *Strafford* was told with Joy by his Friends, that the King had made a warm Speech in his Favour to both Houses, he received it as his Doom, and told them, *The King's Kindness had ruined him, and that he had little else to do but to prepare himself for Death.* Welwood's Memoirs, p. 46.

the Tryal *. It is pretended that ſuch as abſented themſelves, were terrified by the Threats of the Populace. 1641.

The King was then in the worſt of Conditions. He loved the Earl of *Strafford*, and was convinced the Earl had done nothing but what was conformable to his Intentions, and the Maxims he would have introduced into the Government. He might be guilty with regard to the People on many Accounts, but certainly he was not ſo with reſpect to the King, who had always approved of his Conduct. Beſides, the King had proteſted in full Parliament that he could not, nor would not do any Thing againſt his Conſcience, and he did not believe in his Conſcience that the Earl was guilty. On the other Hand, if he conſented to the *Bill of Attainder*, after having declared it was againſt his Conſcience, he would ſhow that he was reduced to this Extremity by the Neceſſity of his Affairs, ſo would not be thanked for it, and for the Time to come would have nothing more to deny his Parliament. But if he rejected the *Bill*, he plainly perceived the Conſequences his Refuſal might be attended with, and that at leaſt he ſhould be accuſed of denying his People Juſtice, contrary to the Advice of both *Houſes* of Parliament.

The Continuance-Bill paſſed by the Lords. Ruſh. IV. p. 251.

It is not unlikely that in this Extremity ſome one adviſed the King to diſſolve the Parliament. At leaſt the *Commons* imagined there was no other way to free himſelf from the Perplexity he was under. And therefore to take from him this Refuge alſo, the ſame Day, the 4th of *May*, they ordered the bringing in of a *Bill* for the Continuance of the preſent Parliament, that it might not be diſſolved without the Con-

* The Lord *Clarendon* ſays, of the Forty-ſix, eleven only diſſented. Vol. I. p. 256. *Whitlock* ſays, there were but Forty-five, of whom Twenty-ſix voted the Earl guilty of High Treaſon, upon the 15th Article, *For levying Money in* Ireland *by Force, in a warlike manner.* And upon the 19th Article, *For impoſing an Oath upon the Subjects in* Ireland. *Whit. Mem. p.* 43.

1641. ſent of both *Houſes*, which *Bill* was read thrice in two Days, and paſſed three Days after in the *Upper-Houſe*, together with the *Bill of Attainder* againſt the Earl of *Strafford*. In theſe two or three Days ſpace, the *Commons* vigorouſly puſhed the Buſineſs of the Conſpiracy, as has been ſaid, to fill the People with Fears, and force the Lords to paſs the two *Bills* on that account.

Conſultations of the King about the Bill *of* Attainder.

The *Bill of Attainder* having paſſed the *Houſe* of Lords, the King called his Privy-Council together, and ſent for his Lawyers. He laid before them his Scruples, and the Reaſons which ought to hinder him from giving his Conſent to the *Bill*. But *Juxon* Biſhop of *London* was the only Perſon that ventured to adviſe the King to reject a *Bill* preſented to him by both *Houſes*. All the reſt uſed their utmoſt Endeavours to perſwade him to ſatisfy his People, and that the Life of any one Perſon ought not to be put in the Ballance with the Safety of the Kingdom. As to his Scruples, they told him that he might conſult his Biſhops, who would give him the beſt Advice. The King not meeting with the Satisfaction he expected from his Council, ſent for ſome Biſhops to adviſe with. It is affirmed, that *Neil* Archbiſhop of *York* ſaid to him on this Occaſion, "That there was "a *Private* and a *Publick* Conſcience; that his pub-"lick Conſcience as a King, might not only diſ-"penſe with, but oblige him to do that which was "againſt his private Conſcience as a Man." And ſo in plain Terms adviſed him, "even for Conſci-"ence ſake to paſs the Act." But what helped the moſt to determine him, was a Letter from the Earl of *Strafford*, who hearing the Streights the King was in, *humbly beſought him himſelf to paſs the Bill, to remove him out of the way towards a bleſſed Agreement, which he doubted not God would for ever eſtabliſh betwixt him and his Subjects.* Adding, *That his Conſent would more acquit his Majeſty therein to God, than all the World could do beſides: To a willing Man there is*

Clarend. I. p. 257.

Letter from Strafford *to the King.* Ruſh. IV. p. 251. Nalſon, II. p. 190.

no Injury. At laſt the King no longer able to with- 1641.
ſtand the preſſing Inſtances of the Parliament and his own Counſellors, or rather the Fear of the Calamities he foreſaw might befall both himſelf and Poſterity if he refuſed to conſent to the *Bill*, ſigned a Commiſſion to three * Lords to paſs it in his Name *1. By the ſame Commiſſion he empowered the ſame Lords to give the Royal Aſſent to the *Bill* for the Continuance of the Parliament, which was of much greater Importance for him than the Earl of *Straſford*'s Life, but which however it does not appear that he much minded, ſo full was he of the other. This *Bill*, which was of ſuch Conſequence to the King, was brought in the 6th of *May*, and in five Days ſpace it paſſed in both *Houſes*, and received the King's Approbation, as if it had been but a Trifle.

The King paſſes the two Bills.

Ruſh. IV. p. 259.

On the 12th of *May*, the ſecond Day after the Royal Aſſent to the *Bill of Attainder*, the Earl of *Straſford* was executed, and ſuffered Death with great Conſtancy and Reſolution. It was then, and is now a Subject of Diſpute, whether he deſerved to loſe his Head or not. They who are for him, ſay, that the bare examining of the Articles of Accuſation, the Evidences produced againſt him, and his Anſwers, is enough to convince a Man that he was not guilty of High-Treaſon. That of this the Conviction of his Accuſers themſelves is a farther Proof, who perceiving they could not expect from the Lords a Sentence according to their Wiſh, made uſe of ſo many

The Earl of Strafford *beheaded.*

Reaſons for and againſt him.

* To the Lord *Privy-Seal*, Lord *Great Chamberlain*, Lord *Steward*, or any two of them. *Rapin* by miſtake ſays to four Lords.

*1 Notwithſtanding his Letter to the King, when his Majeſty ſent Secretary *Carleton* to the Earl, to acquaint him with what was done, and the Motives of it, the Earl ſeriouſly asked the Secretary whether his Majeſty had paſſed the *Bill* or not? As not believing, without ſome Aſtoniſhment, that the King would have done it. And being again aſſured that it was paſt, he roſe from his Chair, lift up his Eyes to Heaven, laid his Hand on his Heart, and ſaid, *Put not your Truſt in Princes, nor in the Sons of Men, for in them there is no Salvation.* Whitlock's Memoirs, p. 44.

1641. extraordinary Means to compaſs their Ends. Firſt, the Change of the Judicial Accuſation into a *Bill of Attainder*. Secondly, the tumultuous Concourſe of the People. Thirdly, the Diſcovery made to the *Houſe of Commons* of the pretended Conſpiracy, preciſely at this Juncture, though it had lain dormant a long while. In the fourth Place, the *Proteſtation*, the ſole Deſign whereof was to terrify the People, and ſtir them up againſt the King and his Party. Laſtly, the Violence done to the Lords to extort their Conſent to the *Bill*, and which obliged great Numbers to abſent themſelves, to avoid being expoſed to the Fury of the People. It is pretended all theſe Things are a clear Evidence that the *Commons* themſelves did not believe him guilty, ſince they uſed ſo many Artifices to take away his Life.

They who are againſt him, ſay, It cannot be denied, that the King had formed a Deſign to eſtabliſh an Arbitrary Government, and aſſumed to himſelf a Power contrary to Law. That he had made choice of ſuch Miniſters and Counſellors as he thought moſt proper to ſerve him in the Execution of his Deſign. That from the King's Council had proceeded all the Oppreſſions the People had ſo long complained of, and conſequently the King's Miniſters and Counſellors could not be innocent, unleſs a Man would deny theſe Oppreſſions which were as clear as the Sun. That no Body was ignorant that the Earl of *Straſford* was the Chief of theſe Miniſters, and the Perſon in whom the King put the greateſt Confidence, and that he held the firſt Place in the ſecret Council, called the *Junto*, conſiſting of four or five Perſons only, where all the Reſolutions were taken for the Oppreſſion of the Subjects. That it could not be ſuppoſed he was againſt all theſe Reſolutions, ſince his attaining to ſo high a degree of Favour, was entirely owing to his Attachment to the King's Will. That it was no leſs evident, that in his three great Poſts of Privy-Counſellor, Preſident of the *North*, and Lord-Deputy of *Ireland*, he had always carried himſelf

himſelf conformably to the King's Principles and Maxims, though he knew that theſe ſame Principles were contrary to the Law. That all his Endeavours tended to increaſe the King's Revenues, and enlarge his Prerogative, by all ſorts of Methods, even the moſt irregular. That in *England*, Obedience to the King's Orders does not excuſe the Miniſters in illegal Matters. That therefore a Man muſt either deny that the King ever did any Thing contrary to Law, or confeſs, that his Miniſters, and eſpecially the Chief, were not innocent of theſe Violations. That the *Commons* Accuſation did not run ſo much upon each particular Article, as upon all together, to ſhow that the Earl of *Strafford* actually intended to ſet up an Arbitrary Government. That every one of the Articles was a Proof of this Intention, and it was a Deluſion to repreſent them as being each apart a ſeparate Charge of ſome particular Crime. That this Intention, joined to the manner of exerciſing the Power the King had intruſted him with, was an unpardonable Crime, ſince it tended to ſubvert all the Laws, and alter the Conſtitution of the Government. That it was not the ſame with the Intention of ſubverting the Laws, as with the Intention of committing any other Crime, even Treaſon. That theſe laſt, when committed, may be puniſhed by the Laws: But if the Intention of ſubverting the Laws be not puniſhable till put in Execution, there is no Remedy, aboliſhed Laws being no longer of any Uſe. That upon theſe Grounds Parliaments had all along puniſhed ſeveral Miniſters for this ſame Reaſon. In ſhort, that an Example being neceſſary to deter Miniſters for the future from devoting themſelves ſo entirely to the King's Will, to oppreſs the Subject, there could not be a fitter for that purpoſe than the Earl of *Strafford*, whoſe Power had made all the World tremble, and who beſides was the Object of the publick Hatred, the whole Nation looking upon him as the Chief Author of their Miſeries. 1641.

1641. I shall add here, in order to finish what relates to the Earl of *Strafford*, that not long after his Death *, this same Parliament passed an *Act* for restoring his Children in Blood and Honour, and for settling his Estate upon his Heirs, and that the *Act of Attainder* was repealed in the Reign of *Charles* II. I do not believe that ever any *English* Subject has had so many Praises bestowed upon him as the Earl of *Strafford*. Several in speaking of him, have not been able to forbear adding always to his Name some honourable Epithet, to show their Esteem for him. In a Word, he is represented as one of the greatest Men, one of the most accomplished Ministers *England* ever produced. I do not pretend by any Means to question his natural or acquired Abilities. But I own that when I consider his Life and Actions, I do not see what can serve for Foundation to such high Encomiums. In the first Place, after he was in Favour, the King had no Quarrel with any foreign State. So he had no Opportunity to display his Talents in Negotiations and Embassies. As to War, he was employed but once, in the late War with *Scotland*, in quality of Lieutenant-General, commanding the Army in the Absence of the General. On this Occasion it may be said, he committed a very great Error, in not being in a readiness to hinder the *Scots* from passing the *Tine*, and in suffering them to take *Newcastle*, if perhaps he did it not on purpose to engage inevitably the two Nations in a War, which certainly can be Matter of no great Commendation. It must then be owned that his Talents were confined within the Limits of his Posts or Offices. As to that I find he was accused of having prevaricated, and entirely devoted himself to promote the King's Design of setting up an Arbitrary Government. Suppose this were a Slander, and he had never any such Thought, I do not see however that his being innocent on that account can be Matter of Praise to him, any

* The *Bill* was brought in *June* the 12th this Year. *Rush.* IV. *p.* 284.

any more than to many others who had been in the ſame Poſts before him. What did he do then in the Adminiſtration of his Offices, that deſerves the Character of an accompliſhed Miniſter, and the Name of a great Man, which is generally given him? If it is ſaid, that he made uſe of his great Talents to ſerve the King faithfully and promote his Deſigns, which doubtleſs is the ſole Foundation of the Commendations beſtowed on him, it is to be feared abundance of People will not allow either that he ought to have ſerved the King in that manner, or that he did him any real Service, as the Event has ſhown. The great Praiſes therefore given to the Earl of *Strafford* muſt be conſidered only as a viſible Mark of the Principles of thoſe who beſtow them, and who perhaps are very ſorry he ſucceeded no better. 1641.

The King tries in vain to paciſy the Commons. Clarend. I. p. 211.

The Death of the Earl of *Strafford* was a great Mortification to the King, but it was not the only one. After the *Commons* had made this Trial of their Strength, they reſolved to compleat the Reformation of the Government, which till now they had but entered upon. The King on his part endeavoured, though in vain, to cool the great Ardour of the *Commons*, by granting or promiſing Places to ſuch as were moſt acceptable to them. He had made Sir *Edward Littleton* Lord-Keeper, in the Room of the Lord *Finch*, who was forced to fly. For the ſame Reaſon Dr. *Juxon* Biſhop of *London* reſigned his Treaſurer's Staff, which was to be given to the Earl of *Bedford*. But the Earl died whilſt he was earneſtly labouring to procure an Accommodation between the King and *Commons*. *Saint-John*, a Leading-Man in the *Houſe* of *Commons*, had been made Sollicitor-General. The Lord *Cottington* was to ſurrender the Office of Chancellor of the *Exchequer* in favour of Mr. *Pym*, and the Place of Maſter of the *Wards* in favour of the Lord *Say*. The Office of Secretary of State which *Windebank* had held, was deſigned for *Denzil Hollis*. The Earl of *Eſſex*, the Lord *Kimbolton* and Mr. *Hambden*, were likewiſe to have Places. But

1941. the Earl of *Bedford*'s Death put an end to moſt of theſe Projects. The King ceaſed not however after the Death of the Earl of *Strafford* to gratify the *Commons*, by making the Earl of *Eſſex* Lord High-Chamberlain, having firſt removed the Earl of *Pembroke*; for the Earl of *Eſſex* was a great Favourite of the *Commons*. But all this begot not the great Alterations the King expected. The Wound was too deep to be cured by ſuch Lenitives.

The Parliament's Aim.

The general Aim of the Parliament was, not only to redreſs paſt *Grievances*, but alſo to free the Kingdom from the Fear of being expoſed to the like Calamities in time to come. The King, on the contrary imagined, that by giving or promiſing good Places to the Leaders of the oppoſite Party, he ſhould ſtop their Mouths and render them *dumb Dogs*. But they were too wiſe to fall into the Snare. They were very ſenſible that theſe ſame Places which the King gave or offered to give them, would be always at his Diſpoſal, and that when the Motive of his giving them ſhould ceaſe, it would be ever in his Power to turn them out. Beſides, many of them were too conſcientious to ſacrifice the Good of their Country to their private Intereſt. This Diſpoſition of the Leaders manifeſtly appeared, in that the King's Favours were not able to cauſe them to relinquiſh the Project they had formed, ſo great was their Diſtruſt towards him. They could not believe that a Prince, who had ſo openly diſcovered a Deſign to eſtabliſh an arbitrary Government, ſhould have changed on a ſudden his Principles and Maxims. Nay, what he did in their Favour, convinced them of the Neceſſity of ſticking firmly to their Project, plainly perceiving his Aim was to divide them.

The Parliament's great Diſtruſt with reſpect to the King.

This Project conſiſted, as I ſaid, firſt, in redreſſing all the *Grievances*; Secondly, in taking Meaſures to prevent the King from returning to his former Courſes. This they laboured to effect with great Diligence, after the Earl of *Strafford*'s Death. Hitherto, they had only prepared Matters by *Votes*, which

which plainly ſhowed their Deſign, and by the *Proteſtation* which both *Houſes* had ſubſcribed. But they expected to meet in the *Houſe* of Peers, with Obſtacles ſo much the greater, as the King had a ſtrong Party there. 1641.

Obſervation on the Houſe of Peers.

The *Houſe* of Peers conſiſted of One Hundred and Twenty Lords, the Two Archbiſhops, and Twenty-four Biſhops. Among the firſt, the two Princes, *Charles* and *James*, the Duke of *Buckingham*, and Seven or Eight others were under Age; and there were ſome, whoſe Age, or Infirmities, or Affairs, hindered them from being preſent in this Parliament. The Archbiſhop of *Canterbury*, the Lord *Finch*, the Earl of *Strafford*, were not there at the time I am ſpeaking of: So that the Biſhops would have made a Fifth Part of the *Houſe*, had it been complete. But, as the Lord *Clarendon* ſays, there was not above Fourſcore and Six Peers at the Earl of *Strafford*'s Tryal, we may reckon there was a Third Part abſent; and as on the other Hand, there were vacant *Sees*, we cannot be much out in counting that the Biſhops and *Popiſh* Lords made about a quarter Part of the *Upper-Houſe*. As they were all devoted to the King, it is no hard matter to perceive, they rendered the King's Party very ſtrong among the Lords. This was the Reaſon which obliged the *Commons* to uſe their utmoſt Endeavours to take away their Votes in Parliament. Moſt of them had now made themſelves odious by promoting the King's Deſign with all their Power, and perſecuting the *Puritans*, and they ſtill continued to obſtruct the Deſign of redreſſing Grievances, by the Number of their *Votes* in the *Houſe of Peers*.

Political Reaſons for the Excluſion of the Biſhops.

This was the Reaſon made uſe of by the Heads of the *Presbyterians*, who had more ſecret and farther Views to induce ſuch Members of the Church of *England* as were againſt the King, to ſacrifice the Biſhops Privilege of ſitting in Parliament. They hinted to them, that as long as the King had ſo many Votes in the *Upper-Houſe*, it would be almoſt impoſſible

1641. ble to set about to any purpose the Redress of Grievances. That after all, the depriving of the Bishops of this Privilege would be so far from being detrimental to Religion, that it would be rather for its Advantage, since thereby they would be more attached to their Spiritual Functions. That it would be no less beneficial to the State, since it would deprive the King of a Means he had always used with Success, to break the Parliament's Measures.

Difference between the Puritans.

The Party against the King in the Parliament, consisted in truth of *Puritans*; but there were two sorts, as I said before. Some were true *Presbyterians*. Others were *State-Puritans*; that is to say, Persons whom the Court had all along considered as *Puritans*; not that they were not sincere Friends to the Church of *England*, but because their Maxims concerning Civil Government were thought to be founded upon *Puritan*-Principles. These two sorts of *Puritans* had been equally oppressed the First Fifteen Years of this Reign, as well by the Court as by the *Clergy*, so that the *Hierarchy* was become very odious to the one, and very suspicious to the other. The true *Presbyterians* earnestly longed for the utter Extirpation of Episcopacy. The other *Puritans* were extremely incensed against the Bishops and the rest of the *Clergy*, who had all along supported and countenanced the King's Designs. Wherefore they were easily persuaded that it would be doing the State a great piece of Service, to clip the Wings of the *Clergy*, to the End they might not be so useful to the King. Besides, though Church-of-*England-Men*, they were not of the Opinion of those who believed that Religion could not subsist without Bishops, and that Episcopacy was so closely united with the Monarchy, that one could not be abolished without the Downfal of the other. So far was the *Hierarchy* from giving them any Uneasiness, that they would have been very willing to preserve it, provided it could have been managed so, that the *Clergy* should be confined to their Spiritual Functions. But they could hardly bear

bear to ſee the *Clergy* inveſted with a ſecular Power, which they made an ill uſe of. It muſt be further added, that being thus diſpoſed, they ſaw the *Preſbyterians*, who were pretty numerous in the Kingdom, and ſupported by the *Scots*, ſtrenuouſly inſiſt upon taking away the Biſhops *Votes* in the *Houſe* of Lords. It was a dangerous thing to diſpleaſe them, for a very good Reaſon. For though the *Presbyterians* affected to ſpeak of the State only, it was well known that Religion was the principal Thing they had in view, and that what they did with regard to the Civil Government, was only to hinder the King from being able to oppreſs them, if he remained too powerful. Had the King therefore tried to gain the *Presbyterians* by offering them reaſonable Terms, they might have chanced to accept them, and relinquiſh the Deſign of reforming the Civil Government, and then the *State-Puritans* would have been left to the King's Mercy. Union between the *Puritans* was therefore abſolutely neceſſary. For after all, it was no leſs hazardous for the *Presbyterians*, that the King ſhould cloſe with the *State-Puritans*, in which caſe they would have infallibly abandoned the *Presbyterians*. 2641.

The King helps to unite the Puritans.

Both theſe Parties then ſtood in great need of each other, and it was their Intereſt to ſupport one another, for fear the King ſhould take advantage of their Diviſion. But he could never bring himſelf either to the leaſt Condeſcenſion for the *Presbyterian* Party, or to pleaſe the *Politicians*. By that, himſelf helped to form a very ſtrict Union between theſe two Parties, who became but one. The *Politicians* choſe rather, out of Complaiſance to the *Presbyterians*, to ſacrifice the Biſhops Privilege, than be expoſed to the Danger of ſeeing themſelves again liable to an arbitrary Government.

The Commons labour to exclude the Biſhops and redreſs Grievances.

According to theſe Diſpoſitions, and the conſequent Reſolutions, the *Houſe* of *Commons* equally ſet about the Redreſs of Grievances, and the Execution

1641. tion of the Design against the Bishops. Thus the Affairs of Church and State went Hand in Hand, insomuch that scarce a Day passed but the *Commons* gave the King some Mortification, one while by passing *Bills* or *Votes* against whatever the King had done, another while by prosecuting the Authors of the Grievances or Innovations, sometimes by storming against the Conspiracy before-mentioned, and sometimes by increasing the Yoke of the *Papists*.

All this tended to the End proposed by the Party against the King. It was taken for granted as a thing publickly known, that there had been a settled Design to introduce Popery, and that some of the Bishops had a hand in the Plot. Thus, by accusing the *Papists* of having ill Designs, and by prosecuting them rigorously, the Accusation was made in some measure to fall on the Bishops and *Clergy*. It was pretended that the Innovations introduced into the *Divine Service*, was a Consequence of this Design, and for that reason, by condemning them, the *Clergy*, who had countenanced them, were rendered odious to the People. The Accusations against particular Persons who had been most forward to support these Innovations, produced also the same Effect. In short, nothing was omitted that could contribute to let the People see the Necessity of restoring the Government to its natural State, and to convince them that the Ecclesiastical *Hierarchy* was more prejudicial than necessary to the Church and State. With these two Things the *Commons* were taken up for the Space of three Months, from the Death of the Earl of *Strafford* to the King's Journey to *Scotland*.

First, with respect to the State, in this Interval it was that *Bills* were brought in to abolish the *Star-Chamber* and *Court of York*, to regulate the Council-Table, to abolish *Ship-Money*, and prevent vexatious Proceedings touching the Order of *Knighthood*, against illegal Imprisonments, and for ascertaining the Bounds and Limits of *Forests*. Each Judge in particular

cular was accuſed: the Tax impoſed by the King on the *Shires* for the Wages of the Muſter-Maſter, was declared to be contrary to Law. The Conſpiracy to ſeduce the Army was likewiſe examined, and *Wilmot*, *Aſhburnham* and *Pollard* were expelled the *Houſe*, and committed to Priſon. All the *Patents* for Monopolies, of which the greateſt Part were ſuppreſſed, were brought before the *Houſe*. It was examined by what means a certain Clauſe had been inſerted in *the Petition of Right*, concerning *Tonnage* and *Poundage*, and care was taken to regiſter a Declaration on that Subject, to hinder Poſterity from being deceived by that ſurreptitious Clauſe. I paſs over in ſilence ſeveral *Votes* which followed from all theſe Articles, or which had relation to particular ones. 1641.

Proceedings of the Commons as to Religion.

As to Religion, beſides what was done with reſpect to the *Papiſts*, and of which I have already ſpoken, the *Commons* declared to be illegal the Oath by which Miniſters were bound to maintain the *Hierarchy* in the Church. A *Bill* was brought in againſt Pluraliſts. The *Canons* made by the late *Convocation* were condemned. A *Bill* was paſſed to aboliſh the *High-Commiſſion*. The Suppreſſion of *Deans* and *Chapters* was voted. *Matthew Wren* Biſhop of *Ely* was impeached. It was ordered that the *Proteſtation* ſhould be ſubſcribed by the whole Nation. An Accuſation was brought to the Lords againſt Thirteen Biſhops, who had aſſiſted at the *Convocation*.

Difference between the two Houſes about the Proteſtation.

I have but juſt touched upon theſe Articles, becauſe a particular Account of each ſeemed to me needleſs. I ſhall only add, that there was ſome difference between the two *Houſes* concerning the *Proteſtation*. The Lords would have left every Man at liberty to ſign it; but did not think proper to uſe Compulſion. The *Commons*, on the contrary, looked upon the *Proteſtation* as a *Shiboleth*, to diſtinguiſh the *Ephramites*, and at laſt the Lords agreed to what the *Commons* deſired.

One

1641. *The Commons explain a Clause in the Protestation.* Rush. IV. p. 273. Nalson II. p. 241. Clarend. I. p. 253.

One of the Articles of the *Protestation* affording room for Disputes, the *Commons* took occasion to explain more fully that Article which was thus worded: *I swear to defend the true reformed Protestant Religion, expressed in the Doctrine of the* Church *of* England, *against all* Popery *and* Popish *Innovations contrary to the same Doctrine.* Some Persons sticking to the first Part of this Clause, pretended, that there was no other Scheme of the Doctrine of the Church of *England* than the *Thirty-nine Articles* drawn up in the Reign of *Elizabeth*, of which one is, *to preserve the Government of the Church by Archbishops, Bishops, Deans*, &c. Hence they inferred, that by the *Protestation* Men were bound to maintain Episcopacy. But the *Commons* considering the whole Clause together as contained in the *Protestation*, declared, "That by these words was and is meant only the "publick *Doctrine* professed in the said Church, so "far as it is opposite to *Popery* and *Popish* Innovati-"ons; and that the said Words are not to be ex-"tended to the maintaining of any Form of Wor-"ship, Discipline or Government, nor of any Rites "or Ceremonies of the said Church of *England*." This clearly showed what their Intention was with regard to the *Hierarchy*.

Another Difference concerning the Star-chamber.

There was also another Dispute between the two *Houses* touching the *Star-Chamber*. The Lords were very willing to agree it should be reformed, but refused to consent to its Abolition. Mean while, the *Commons* vigorously supporting the *Bill* they had sent up to the Peers, it was passed at last, and the King gave his Assent the 5th of *July*.

In this same Interval, I mean, from the Death of the Earl of *Strafford*, to the King's Journey to *Scotland*, some other things passed of which it is necessary to say a word.

The Customers offer 150000 l. *which is accepted.* Rush IV. p 277.

The *Customers*, who had collected the Duties imposed on Merchants Goods by the King's sole Authority without Consent of Parliament, finding they ran the Risk of being fallen upon, offered of their own

own accord One Hundred and Fifty Thouſand Pounds for an Act of Oblivion, and their Offer was accepted. * 1641.

The Lord *Digby*, Son of the Earl of *Briſtol*, and Member of the *Houſe* of *Commons*, was called by *Writ* to ſit in the *Houſe* of Lords the 10th of *June* (*a*)*. In the Beginning of this Parliament, he had diſtinguiſhed himſelf by his Zeal for the Redreſs of Grievances: but his Speech againſt the *Bill of Attainder* of the Earl of *Strafford*, made him forfeit the Goodwill of the *Commons*; whether the King had already gained him, or whether he went over to his Party on that Occaſion, his Majeſty thought proper to ſcreen him from the Reſentment of the *Commons*, by calling him to the *Houſe* of Peers. We ſhall ſee him hereafter the King's chief Miniſter and Counſellor, great Enemy to the *Commons*, as they on their Part never forgave his Defection.

The Lord Digby *is called to the Houſe of Peers.* Ruſh. IV. p. 283.

The *Iriſh* Army ſhould have been long ſince diſbanded, ſeeing there was no occaſion to keep it on foot, and the *Commons* had frequently deſired the ſame of the King. Nevertheleſs, this Army ſubſiſted the laſt, though the *Commons* had taken care for their Payment. When they came to be disbanded, the King acquainted both *Houſes* that the King of *Spain* having deſired to take this Army into his Service, and intimated the ſame by his Ambaſſador, he had promiſed to ſend him Four Thouſand Men. The Lords made no ſcruple to agree to the King's Engagement. But the *Commons*, ever full of Fears and Suſpicions, thought not proper that the King ſhould keep

The King has a mind to give Spain *part of the* Iriſh *Army.*

The Commons are againſt it. Ruſh. IV. p. 381.

* This Petition was delivered to the *Houſe* by the great Farmers of *Tonnage* and *Poundage*, namely, Sir *Paul Pindar*, Sir *Abraham Daws*, Sir *John Worſtenholm*, and Sir *John Jacob*. The petty Cuſtomers had the Liberty likewiſe to come in upon Compoſition, and then have the Benefit of the Act of Oblivion. *Nalſon II. p.* 256.

(*a*) The King called the Lord *Digby* to the Houſe of Lords at the time the *Commons* expelled him their *Houſe*, *Nalſon* II p. 275.

* His *Writ* was dated the 9th, and he was voted out of the Houſe the 10th. Upon his coming to the *Houſe* of Lords, he was added to all the ſtanding Committees. *Ibid.*

1641. keep these Troops in the King of *Spain*'s Name, who would make them serve in the *Low-Countries*, from whence the King might draw them whenever he pleased. Besides, the *French* Ambassador had desired the rest of the Army for his Master, to which the King had also consented. They thought it was an Artifice of the King's to keep this *Popish* Army which was devoted to him, and on which he could much better rely than on that of *England*. Wherefore they prayed the King to call in his Word. They had on this Occasion several Conferences with the Lords, where they alledged sundry Reasons to support their Opinion, without expressing the true one: but it was easily guessed at. The King was much displeased with the *Commons* Opposition, whether he thought himself bound in Honour to keep his Promise, or really intended to preserve this Army, by lending it to the Kings of *France* and *Spain*, in order to use it himself in case of necessity. What gives ground to suspect he had formed such a Project is, that it does not appear the Kings of *France* and *Spain* had then any great Occasion for these Troops. Be this as it will, the King, without minding the *Commons* Opposition, showed that his Intention was to stand to his Promise, and this Affair was not over when the King set out for *Scotland*. Some time after he sent a Message to the Lords dated at *Edinburgh*, wherein he appeared resolved to stand to his Engagement let what would happen. But the two *Houses* found means to render his Resolution fruitless, by publishing an *Ordinance*, declaring that whoever should assist in transporting these *Irish* Troops into any foreign Country, should be deemed an Enemy to the State. This *Ordinance* broke all the King's Measures, not one Owner of Ships caring to run the Hazard of inevitable Ruin for his sake.

The King will stand to his Word. Nalson II. p. 457.

Ordinance against transporting Forces into foreign Parts. Sept. 9. Nalson II. p. 481.

The King, as I said before, expected that the Parliament would grant him an Aid capable of enabling him to drive the *Scots* out of the Kingdom. It was not long before he perceived his Error, and clearly saw

The King resolves to grant every thing to the Scots.

ſaw that the *Scots* were come into *England* at the Solli- 1641.
citation of the *Engliſh* Male-contents, and that theſe Male-contents were the very Perſons who had moſt Credit and Authority in the two *Houſes*. He judged therefore, that inſtead of thinking any longer of chaſing out the *Scots* by Arms, he ſhould rather endeavour to agree with them, that he might ſeparate their Intereſt from that of the *Engliſh*, and enduce them to disband their Army, which was always ready to ſupport the Parliament. When therefore the Commiſſioners of the two Kingdoms met at *London* to continue the *Rippon*-Treaty, they found no Reſiſtance from the King, who by granting the *Scots* firſt Demand, plainly ſhowed he was diſpoſed to refuſe them nothing. This Demand was, that the King ſhould cauſe to be publiſhed in his Name, the *Acts* of the Parliament of *Scotland*, as well thoſe which were already paſſed in the firſt Seſſion, as thoſe which ſhould be paſſed in the Second. So great a Condeſcenſion with regard to this Point, which had been properly the Cauſe of the ſecond War, made the *Commons* ſenſible that the King's Aim was to get rid as ſoon as poſſible of the *Scotiſh* Army, which to him was an Incumbrance, but to them was very neceſſary for the Execution of their Projects. And therefore as the *Scotch* Commiſſioners had a good Underſtanding with the *Commons*, they managed it ſo that the Negotiation of Peace was ſpun out till the 7th of *Auguſt* 1641, though the King by granting whatever was required of him, removed all Difficulties as far as lay in his Power.

His Reaſons for ſo doing.

At laſt, the Negotiation being about to end, and nothing more wanted to conclude the Treaty, but to agree upon ſome Articles of little Moment, the King permitted the Parliament of *Scotland* to meet, and promiſed to be there in Perſon, to paſs ſuch *Acts* as ſhould be judged requiſite. The *Commons* having Knowledge of the King's Reſolution, entertained ſome Suſpicion of this Journey, and were apprehenſive that the King's Deſign was to go and put himſelf

The King promiſes to go into Scotland.

The Commons are jealous of this Journey.

1641. at the Head of his Army in the North, under Colour of going to *Scotland*. They desired therefore a Conference with the Lords, and moved that the Armies might be disbanded before the King's Departure, and that both *Houses* should present a Petition to the King, to pray him to defer his Journey. They backed their Motion with several Arguments, and among the rest with this, that it was necessary to prevent the Suspicions of the People, and the Designs some Persons might have to make use of the Army to raise Disturbances in the Kingdom. That besides, several *Bills* were sent up to the Lords and not yet passed. That others were now under Consideration in the *Lower-House*, and it was necessary the King should give his Assent to them, before he took his Journey to *Scotland* *. In short, after divers Conferences, it was resolved with the King's Consent, that he should put off his Departure till the 10th of *August*, and that the two Armies should be disbanded by that Time. Nevertheless, as the *English* Army could not be entirely disbanded before the King began his Journey for want of Money, the *Commons* desired a farther Delay for a Fortnight, alledging still the People's Jealousies. But the Lords refused to concur with them, and the King set forward the 10th of *August*, as had been agreed.

They move to have the King defer his Journey. Rush. IV. p. 361.

The King sets out for Scotland.

The Parliament sends a Committee into Scotland *to watch the King.* Rush. IV. P. 375.

The *Commons* distrust with regard to the King still subsisting, they desired the Concurrence of the Peers, that a Committee of Lords and Commoners might be sent to the Parliament of *Scotland* to remain there, and inform them from Time to Time of their Proceedings, to which the Lords consented. The Persons named to go Commissioners into *Scotland*, were the Earl of *Bedford*, the Lord *Howard* of *Escrick*, *Nathaniel*

* There were four Reasons delivered to Mr. *Hollis* to move the King to stay his Journey into *Scotland*. The Third of which is that referred to here by our Author, namely, *The Distempers and Jealousies of the Kingdom are such, that they cannot be composed by passing some Acts, unless his Majesty stay the desired Time.* Which Words do not seem to imply so much as our Author expresses. *Rush.* IV. *p.* 361.

Nathaniel Fiennes, Sir *William Armyne*, Sir *Philip Stapleton*, and *John Hambden*, and a Draught of a Commiſſion was ſent by an Expreſs to the King to ſign. But the King refuſed it, becauſe he ſaw no Neceſſity for any ſuch Thing. He conſented however, that the Committee ſhould come and attend him in *Scotland*, to ſee the Ratification of the Treaty. As the Committee were properly deſigned only for Spies upon the King's Actions, both *Houſes* thought fit to ſend them into *Scotland*, on ſome other Pretenſe: But the Earl of *Bedford* did not go on this Service. 1641. Ibid. 376.

Votes against the Monopoly of Soap.

Some Days after the *Houſe* of *Commons* came to ſeveral Reſolutions, againſt the Monopoly of Soap, which was declared to be illegal. Moreover they voted that the Sentence in the *Star-Chamber* againſt certain Soap-Boilers of *London*, ſhould be reverſed, and the Judges of that Court who had given their Votes in the Sentence ſhould pay the Parties Coſts and Damages. It was ordered alſo that Inquiry ſhould be made what Members of the Privy-Council had given their Conſent to the illegal Orders made at the Council-Table, about the Soap-Monopoly. Ibid. 378, 379.

Votes about the Plantation of Londonderry.

As the *Commons* had undertaken to redreſs all Grievances, That of the City of *London*, concerning the Plantation of *Londonderry* had likewiſe its Turn, whilſt the King was in *Scotland*. The *Houſe* paſſed ſeveral *Votes* upon this Subject, and declared illegal all the Proceedings of the *Star-Chamber*, reverſed the Sentence againſt the City of *London*, as unjuſt and given by imcompetent Judges. They declared that when the King ſhould be pleaſed to repay to the City the Money he had received, he ſhould be reſtored to the ſame State he was in before, and the *Patent* thereupon granted ſhould be cancelled or ſurrendered. Nalſon. II. p. 461. Ruſh. IV. p. 379.

Reſolve of both Houſes to adjourn for ſome Time.

After that, both *Houſes* reſolved to adjourn from the 9th of *September*, to the 20th of *October*, that the Members might go to their Homes, from whence they had been abſent ten Months. As ſoon as this Reſolution was taken, a great Number of both *Houſes* went into the Country to gain a little more Time to

1641. reſt themſelves. So that there were not left above Twenty-two Lords in the *Upper*, and a Hundred and fifteen Members in the *Lower-Houſe*. Then ſome one, who was doubtleſs *Presbyterian*, willing to make the moſt of ſo fair an Opportunity, moved that it was neceſſary to make ſome Alterations in the *Common-Prayer-Book*. This Motion occaſioned a very hot Debate. Mr. *Hide*, afterwards Earl of *Clarendon*, ſtrenuouſly defended the *Liturgy*, inſomuch that contrary to the Expectation of the Perſon who had ſtarted the Debate nothing came of it.

Debate about the Liturgy. Ruſh. IV. p. 385. Nalſon, II. p. 481.

But ſome Days after, the Buſineſs of the *Innovations* in the Church was debated, and the *Houſe* paſſed ſeveral *Votes*, declaring that certain Innovations ought to be aboliſhed. At the ſame Time, the Lords ſeeing that in the *Lower-Houſe*, the Authentickneſs of the *Common-Prayer-Book* was called in queſtion, voted, that it ſhould be obſerved as before, in all the Churches without any Omiſſion or Alteration. This begot a Conference between both *Houſes*, wherein the *Commons* deſired the Lords to conſent to the following Declaration, and join with them in the Publication thereof.

Votes againſt Innovations. Ruſh. IV. p. 385.

Votes of the Lords about the Liturgy. Nalſon, II. p. 483.]

DECLARATION of *September* 8. 1641.

The Commons *Declaration concerning Innovations.* Ruſh. IV. p. 386.

WHereas divers Innovations, in or about the Worſhip of God, have been lately practiſed within this Kingdom, by enjoining ſome Things, and prohibiting others without Warrant of Law, to the great Grievance and Diſcontent of his Majeſty's Subjects. For the Suppreſſion of ſuch Innovations, and for Preſervation of the publick Peace, it is this Day ordered by the Commons in Parliament Aſſembled, That the Church-Wardens of every Pariſh-Church and Chapel reſpectively, do forthwith remove the Communion-Table from the Eaſt-end of the Church, Chapel, or Chancel, into ſome other convenient

nient Place, and that they take away the Rails, and level the Chancels as heretofore they were before the late Innovations. 1641.

That all Crucifixes, ſcandalous Pictures of any one or more Perſons of the Trinity, and all Images of the Virgin Mary *ſhall be taken away and aboliſhed; and that all Tapers, Candleſticks, and Baſons, be removed from the Communion-Table.*

That all corporal Bowing at the Name of Jeſus, *towards the Eaſt-end of the Church, Chapel, or Chancel, or towards the Communion-Table, be henceforth forborn.*

That the Orders aforeſaid be obſerved in all the ſeveral Cathedral Churches of this Kingdom, and all the Collegiate Churches or Chapels in the two Univerſities, or any other part of the Kingdom; and in the Temple-Church, and the Chapels of the other Inns of Court, by the Deans of the ſaid Cathedral Churches, by the Vice-Chancellor of the ſaid Univerſities, and by the Heads and Governours of the ſaid Colleges and Halls aforeſaid, and by the Benchers and Readers in the ſaid Inns of Court reſpectively.

That the Lord's Day ſhall be duly obſerved and ſanctified: All Dancing, or other Sports, either before or after Divine Service be forborn and reſtrained; and that the Preaching of God's Word be permitted in the Afternoon, in the ſeveral Churches and Chapels of this Kingdom, and that the Miniſters and Preachers be encouraged thereunto.

That in Caſe theſe Orders be not obſerved, Complaints thereof ſhall be delivered in Parliament before the 30th *of* October *next.*

The Lords renew their Order of the 16th *of* January *concerning Divine Service.* Ruſh. IV. *p.* 387.

The Lords regarded not the Deſire of the *Commons*. But on the Morrow, *September* the 9th, the Day appointed for the Adjournment, they communicated to the *Commons*, in a Conference, an Order dated *January* the 16th 1640-1, enjoining that *Divine Service* ſhould be performed without any Alteration, as appointed by Act of Parliament, and a Confirmation of the ſame Order, purſuant to a Reſolution taken

1641. on the present 9th of *September*, desiring the *Commons* to concur with them in the publishing thereof.

The Commons *refuse their Concurrence.* Ibid.

The *Commons* flatly refused to join in the Publication of this Order, not thinking it proper at such a Juncture, to press the rigorous Observance of the Laws touching *Divine Service*, since a great part of the People called for a Reformation therein. Besides, they knew this last Order, which confirmed that of the 16th of *January*, was made at a Time when there was but twenty Lords in the *House*, and by a Majority of two Voices only, eleven against nine. Then they drew up a Declaration, inserting that of the Day before, to which the Lords had returned no Answer, with the Order of the Peers of the 16th of *January*, and the Confirmation of the same of the 9th of *September*, with the refusal of the *Commons* to concur with them, and ordered that their Declaration should be printed and published.

Declaration of the Commons *without the Lords Concurrence.* Sept. 9.

Remarks on these Differences

I imagine it will not be amiss to remark, on account of this Dissention between the two *Houses*, first, that Passion reigned on both Sides, seeing the Time of making these two Motions was by no means proper, there not being above the fifth Part of the Members present in each of the two *Houses*.

Secondly, That there was a great Difference between the two Points in Question, with respect to their Importance. One concerned the Preservation of the publick Worship, and Book of *Common-Prayer*, appointed by the Laws after the Reformation, but wherein however many People ardently wished great Alterations might be made, nay, desired they might be entirely suppressed, whilst the rest of the Nation believed them to be absolutely necessary. This was a Matter of so great Moment, that one would think nothing should be decided *Pro* or *Con*, but upon mature Deliberation, and at a Time when both *Houses* should have their usual Number of Members. For this Reason, if the Motion for making Alterations in the *Liturgy* had been approved in the *Lower-House*, doubtless the Lords would have justly opposed it and refused

refuſed their Concurrence. But on the other Hand, as the *Commons* had taken no Reſolution thereupon, there does not ſeem to have been any Neceſſity for the Lords to renew their Order of the 16th of *January*, which remained in force, and wanted not this Confirmation. Nay, it appeared that this Order was renewed only out of Spleen, becauſe the *Commons* had made a Declaration againſt Innovations. Had the Lords been ſatisfied with refuſing their Conſent to the *Commons* Declaration of the 8th of *September*, there would have been nothing to object. But by refuſing to return any Anſwer to the *Commons*, and renewing withal their Order of the 16th of *January*, they diſcovered that they acted out of Spleen and Revenge, and it was not doubted but the Biſhops were the chief Authors of the renewing of this Order. 1641.

The ſecond Point, which concerned the Innovations, was not of the ſame Importance. The Buſineſs was only to know, whether they were really Innovations; and if ſo, whether they were illegal or dangerous to Religion. But this was a Thing not to be debated in ſuch a Juncture, when both *Houſes* were juſt going to be adjourned, and moſt of the Members already gone into the Country. So the Lords might have refuſed their Conſent to the *Votes* of the *Commons*, though it had been only on pretenſe of the fewneſs of the Members then in both *Houſes*. But by returning no anſwer to the *Commons*, they ſhowed in ſome Meaſure that they approved of theſe Innovations which had ſo long been the occaſion of Complaints and Murmurs in the Kingdom.

Both Houſes appoint Committees during the Receſs.

The ſame Day, before the Adjournment, the *Commons* appointed a Committee of Forty-three * to take Care during the Receſs, of the moſt weighty and urgent Affairs. The Lords appointed a Committee alſo conſiſting but of ſeven Peers, which done, both *Houſes* adjourned to the 20th of *October*.

* *Ruſhworth* Names Forty-ſeven. IV. p. 387.

1641. *Notice of a Conspiracy in* Scotland. Nalson, II. p. 488. Rush. IV. p. 390.

During the Recess, the Committee which had followed the King into *Scotland*, sent Word to the Committee of the *House* of *Commons*, that there was a sort of Conspiracy in *Scotland*, and that the Aim of the Parties concerned seemed to be, to interrupt the Proceedings of the Parliament of that Kingdom, and put to Death the Marquiss of *Hamilton*, the Earl of *Argyle*, and the Earl of *Lanerick*. As the Committee received this Notice but two Days before the meeting of the Parliament, they only ordered the Lord-Mayor of *London* to place convenient Guards in several Places of the City, fearing that the Conspirators of *Scotland* might have Friends in *England*, to disturb at the same Time the Peace of the Kingdom.

The Parliament being met on the 20th of *October*, Mr. *Pym* made a Report to the *House* of what the Committee had done during the Recess. Whereupon the *Commons* desired a Conference with the Lords, where they represented to them:

Report of the Committee. Nalson, Ibid. Rush. IV. p. 388.

"1. That a Letter from the Committee in *Scot-*
"*land*, gave Ground to think, that when there was
"a Design, somewhat of the same Nature in *Eng-*
"*land*, to seduce the King's Army, and interrupt
"the Parliament, that there was the like Design at
"that Time in *Scotland*.

Conference about the Conspiracy in Scotland.

"2. That the principal Party named in that De-
"sign in *Scotland*, the Lord *Crawford*, is a Person
"suspected to be popishly affected; and therefore
"may have Correspondence with the like Party in
"*England*.

"3. That it has been lately published in *England*,
"that some Things were to be done in *Scotland* be-
"fore it broke out there. Therefore we may sus-
"pect some *Correspondence* here.

Upon these Grounds the *Commons* propounded to the Lords, that a strong Guard should be kept in the Cities of *London* and *Westminster*, and Care taken for the Defense of the whole Kingdom; and that an Express

Expreſs Meſſenger be ſent to the Committee of both *Houſe* in *Scotland*, to acquaint them that the Parliament of *England* was ready to give the *Scots* all neceſſary Aſſiſtance againſt thoſe who ſhould diſturb the Peace. 1641.

The Lords approving of theſe Propoſals, Inſtructions were ſent to the Committee agreeable to what the *Commons* had wiſhed. Ruſh. IV. *P.* 390.

The Parliament deſire a Guard of the Earl of Eſſex.

The ſame Day, the 20th of *October*, both *Houſes* deſired the Earl of *Eſſex*, whom the King had made General on the South of the *Trent*, to place a Guard at *Weſtminſter* for the Security of the Parliament, which he did accordingly. This *Scotiſh* Conſpiracy made a great Noiſe at that Time: But it was not poſſible to come at the Bottom of it. See what Mr. *Burnet* ſays of it in his Memoirs of the Dukes of *Hamilton*. *p.* 186.

Account of the pretended Conſpiracy in Scotland.

" A Gentleman, not known to the Marquiſs of " *Hamilton*, brought him and the Earl of *Argyle* the " Diſcovery of a Plot; which, he ſaid, was laid for " their Lives, and the Life of the Earl of *Lanerick*; " which he ſaid he could juſtify by one Witneſs that " was invited to the Execution of it: He told alſo " a long formal Story of the Perſons to be Actors, " and of the Time, Place, and Manner; And ſaid " it was to be executed that very Night. This the " Marquiſs carried to the King, without naming the " Particulars; but by the Law of *Scotland*, ſince he " had but one Witneſs to prove the Deſign, it was " not ſufficient: The King deſired him to examine " the Thing to the Bottom, and bring him what " further Evidence he could find: In the Evening " other Preſumptions were brought to the Marquiſs, " but no clear Proof: However, the Matter had " taken Wind, and was got in every Body's Mouth, " ſo that all who depended on theſe Lords, came a- " bout them in great Numbers: And thoſe on whom " the Deſign was faſtned, gave out, it was a For- " gery to make them odious, and gathered alſo to- " gether:

1641. "ther. The Marquiſs hearing this, did not ſtir out "of Doors, leſt ſome of their too officious Fol- "lowers ſhould raiſe Tumults; and next Day in "the Evening, he with the Earl of *Argyle*, and his "Brother the Earl of *Lanerick*, and half a dozen "Servants went out of Town to his Houſe of "*Keneel*, twelve Miles from *Edinburgh*, and ſent his "Excuſe to his Majeſty, with an Account of the "Reaſons. Upon this many Diſcourſes were raiſed, "People of all Sides paſſing Conſtruction as they "were affected: But the Parliament took the Mat- "ter into Conſideration, before whom thoſe that "had given the Information owned what they had "ſaid, and thoſe on whom the Plot was charged, "did as poſitively deny all; ſo that no clear Proof "being brought, the Parliament could come to no "other Deciſion, but that the Lords had good Rea- "ſon to withdraw themſelves; and ſo they were in- "vited to return to their Place in Parliament.

Remark on this Conſpiracy. Clarend. II p. 298.

We ſee however in the Lord *Clarendon*'s Hiſtory a Particular which may give ſome Light to this Affair. The Earl of *Montroſs* told the King, that the Marquiſs of *Hamilton* was falſe to him, and even offered to rid him of this ſecret Enemy; but the King abhorred the Expedient. Perhaps the Earl of *Montroſs* thought he ſhould do the King a Pleaſure in having the Marquiſs aſſaſſinated, and mentioning it to ſome Perſon, the Thing took Air. However this be, the *Commons* of *England* it ſeems, were extremely jealous of the King, or at leaſt they did their utmoſt to inſpire the People with Diſtruſt. For their Fear was grounded but upon very ſlight Preſumptions, and a bare poſſibility that this pretended Plot againſt three *Scotch* Lords, could have any Influence in *England*.

Complaint to the Commons concerning the Non-Obſervance of their Declaration. Ruſh. IV. p. 393.

The next Day a Complaint was made to the *Commons* againſt ſome Perſons for not obeying the Declaration of the 9th of *September*, publiſhed by Order of the *Houſe*. As this Affair was debated with great Warmth,

Warmth, Sir *Edward Deering* made a Speech, which I think proper to insert here, to show that it was not without Ground that the *Commons* were accused of exceeding their Power, in publishing their Declaration, without obtaining the Concurrence of the Lords. 1641.

Mr. Speaker,

Sir Edward Deering's *Speech.* Rush. IV. p. 392. Nalson V. II. p. 610.

" IT is very true (as is instanced unto you) that " your late Order and Declaration of the 8th " and 9th of *September*, are much debated and dis- " puted abroad; perhaps it may be a good Occa- " sion for us to re-dispute them here.

" The Intent of your Order to me seems doubtful, " and therefore I am bold, for my own Instruction, " to propound Two Queries.

" 1. How far an Order of this House is binding?

" 2. Whether this particular Order be continuant, " or expired?

" Your Orders (I am out of doubt) are power- " ful, if they be grounded upon the Laws of the " Land: Upon that Warrantry we may by an Order, " enforce any thing that is undoubtedly so grounded, " and by the same Rule we may abrogate whatsoe- " ver is introduced contrary to the undoubted Foun- " dation of our Laws. But, Sir, this Order is of " another Nature, another Temper, especially in " one part of it, of which (in particular) at some " other Time.

" Sir, There want not some *Abroad*, Men of " Birth, Quality and Fortune, such as know *the* " *Strength of our Votes* here as well as some of us, (I " speak my own Infirmities) Men of the best Worth, " and of good Assistance in us, and no way obnoxi- " ous to us: They know they sent us hither as their " Trustees, to make and unmake Laws; they know " they did not send us hither to rule and govern them " by arbitrary, revokable and disputable Orders,

" especially

1641. especially in Religion. No Time is fit for that, and this Time as unfit as any: I desire to be instructed herein.

"Mr. Speaker, In the second Place there is a Question, whether this Order (whereupon the present Complaint is grounded) be permanent and binding, or else expired, and by our selves deserted? I observe, that the Order being made the 8th of *September*, in hope then of Concurrence therein by the Lords; that failing, you did issue forth your last Resolution by way of Declaration, wherein thus you express your self; *That it may be well hoped, when both Houses shall meet again, that the good Proposition and Preparation in the House of Commons, for preventing the like Grievance, and reforming the Disorders and Abuses in Matters of Religion, may be brought to Perfection; wherefore you do expect that the Commons of this Realm do in the mean time* (what, obey and perform your Order made the Day before? No such thing, but in the mean time) *quietly attend the Reformation intended.*

"These are your Words, and this my Doubt upon them, whether by these Words you have not superseded your own Order? Sure I am, the Words do bear this Sense, and good Men may think and hope it was your Meaning.

"My humble Motion therefore is this, I beseech you to declare, that upon this our Reconvention, your Order of the 8th of *September* is out of Date: and that the Commons of *England* must (as you say) *quietly attend the Reformation intended*; which certainly is intended to be perfected up into Acts of Parliament. And in the mean time, that they must patiently endure the present Laws, until you can make new, or mend the old."

The Commons carry on the Bill against the Bishops.

The 22d of *October* the *Bill* for disabling Persons in *Holy Orders* to exercise Temporal Jurisdiction was again debated, and several Speeches made *pro* and *con.*

At

At length, it was reſolved to proſecute the Biſhops who had aſſiſted at the late *Convocation*, and to puſh the *Bill* for excluding the Biſhops from their *Votes* in Parliament. To that end, the *Houſe* deſired a Conference with the Lords, where Mr. *Pym* and Mr. St. *John* explained the Demands of the *Commons*, with the Reaſons to ſupport them. Mr. *Pym* ſpoke firſt in this manner: 1641.

My LORDS,

"THE Parliament, the Fountain of Juſtice, "ought to be preſerved pure from Corruption "and free from Partiality, which will add not only "Luſtre, Reputation and Honour, but Authority "to what is done in Parliament: All Mens Eſtates "and Liberties are preſerved under the Safe-Cuſtody "of Parliament; this moveth us to be careful of any "thing that may prejudice the Parliament in Point "of Freedom and Integrity. *Pym's Speech before the Lords againſt the Biſhops.* Ruſh. IV. P. 395.

"Therefore the Knights, Citizens, Burgeſſes of "the Houſe of Commons, have commanded me, "with my Collegue, to repreſent unto your Lord-"ſhips two Propoſitions, which they hold of very "great Importance and Neceſſity to be put in Exe-"cution at this Time.

"Firſt, That thoſe Thirteen Biſhops which ſtand "accuſed before your Lordſhips, for making the "late Book of Canons, and putting them in Exe-"cution, may be excluded from their Votes in Par-"liament.

"Secondly, That all the Biſhops may be excluded "from having any Vote in that Act, come from the "Houſe of Commons to your Lordſhips, entitled, "*An Act to take away the Biſhops Votes in Parlia-"ment*, &c.

"That

1641. "That which concerneth the Thirteen Bishops "falleth to my Charge to open, as I am commanded "to tell your Lordships, that it standeth not with "Honour and with Justice, that these Bishops should "have Votes, standing thus charged with the Breach "of Trust, and of the highest Trust, against the "Prerogative of the King, and against the Privi-"lege of the Parliament; against the Property of "the Subject, and against the Peace of the King-"dom; these are the Jewels that are deposed under "the Trust and Safe-guard of Parliament, and all "these have been broken; and this appeareth by the "making the new Canons voted by your Lordships "to be against all these Trusts.

"That these Persons have been Parties to the "Breach of this Trust, that will appear by the "Journals of the Convocation, which is now in the "Country, and may be sent for; the Entry of the "Book is, That all the Thirteen Bishops were Par-"ties, and did confirm and subscribe these Canons; "therefore it is hoped by these Canons, that those "who have assumed to themselves a Legislative "Power, whereby they have, as much as in them "lies, rooted out the Foundation of Parliament, that "they should have no Interest in the Legislative "Power at all in Parliament.

"Next, that those who have deprived the Subjects "of those good Laws that are already made for "them, that they should have no Interest or Part of "making future Laws for the Subject; this they "conceive standeth with a great deal of Equity and "Justice, which is one Reason to desire they should "be excluded from their Votes in Parliament.

"Next is, the Heinousness of their Offence. It is "very fit they should be innocent Men, and faithful "Men, that should have the Exercise of so great a "thing as it is; much less then should they be *Delin-"quents* of so high a Nature, Actors in the sub-"verting of the Laws of the Realm, that they "should continue their Votes and Places in Parlia-

" ment: And that their Delinquency may the better 1641.
" appear, you are desired to read the Votes passed
" in the House of Commons, (*Nullo Contradicente*)
" and with which the Lords have concurred and
" agreed."

Then the *Votes* touching the making of the said Canons herein before recited, were read by Mr. *Goodwin*.

And then Mr. Sollicitor St. Johns *proceeded to this Effect:*

" That he was in the next Place to present some
" Reasons and Precedents concerning the Bishops
" not having their Votes touching the Bill, entitled,
" *An Act to take away the Bishops Votes in Parlia-*
" *ment*, &c.

" 1. Because they have no such inherent Right and
" Liberty of being there, as the Lords Temporal,
" and Peers of the Realm have; for they are not there
" Representative of any Body else; No, not of the
" Clergy; for if so, then the Clergy were twice re-
" presented by them, *viz.* in the Lord's-House, and
" in the Convocation: For their Writ of Election is
" to send two Clerks, *Ad Consentiendum, &c.* Be-
" sides, none are there Representative of others, but
" those that have their Suffrages from others; and
" therefore only the Clerks in the Convocation do
" represent them.

" 2. They have not the inherent Right of Peer-
" age as the Lords have, because in some things
" they cannot do that there, which the Lords may
" do in case of Treason and matter of Blood. Up-
" on Tryal of any Peer they have no Liberty of
" Vote, which could not be taken away by any Ca-
" non, if their Right of Voting there were inhe-
" rent.

" 3. If they were Represenative of the Clergy,
" as a *Third Estate* and Degree, no Act of Parlia-
" ment could be good, if they did wholly dissent;

" and

1641. " and yet they have diſaſſented and the Law good " and in force, as in the Act eſtabliſhing the Book of " *Common-Prayer in Queen* Elizabeth's *Time*; they " did diſaſſent from the confirming that Law, which " could not have been good, if they had been a " Third Eſtate and diſaſſented.

" 4. The King may hold his Parliament without " calling the Biſhops at all to it, as hath been ad- " judged by all the Judges of *England*, 7 *Hen.* 8. " occaſioned by the Convocations citing one Dr. " *Standiſh* for ſpeaking of Words againſt their Power " and Privilege as they conceived: In that caſe all " the Judges of *England*, in the Preſence of the King " declared, that the King might hold his Parliament " without *calling them at all.*

" So 25 *Edward* 1. In reſpect the Prelacy would " not agree with the reſt of the Kingdom, in grant- " ing a reaſonable and neceſſary Aid and Supply, " they were excluded in the Parliament at *Carliſle*: " And before that Parliament, an Act paſſed againſt " ſeveral Oppreſſions of the Abbots, Priors and " Biſhops upon the inferior Clergy of the Kingdom, " by Purveyance and ſetting of high Prizes, *&c.* to " be collected; and Six or Seven *Acts* more, all to " this purpoſe concerning the Carriage of the Pre- " lates to the inferior Clergy; ſo that when them- " ſelves were concerned, they were excluded their " *Votes.*

" In all theſe Records of the Matter concerning " the Clergy, the Entry is, That the King, *habito* " *tractatu, &c.* with the *Earls*, the Barons, and o- " thers the Nobles, *&c.* hath agreed to this Act, or " *by the Aſſent of the Earls, Barons, and other Lay-* " *People*: which ſhews that the Biſhops did not con- " ſent, for if they had, they ſhould have been firſt " named before the Earls and Barons: For the Or- " der of naming the Degrees of Nobility in all an- " tient Records, is Prelates, Earls and Barons.

" Thus

" Thus 3 *Richard* 2. there being Proviſion, the " *Pope* ſhould not make Preſentation, &c. it is ſaid, " that the Petition of the Commons was aſſented to " by the King, and the Lords Temporal, and was " always eſteemed a firm Act of Parliament, not- " withſtanding the Biſhops oppoſed the ſame." 1641.

The Biſhops Affair remains in ſuſpence.

This Affair was carried no farther at that time, doubtleſs by reaſon of the Obſtacles which occurred in the *Upper-Houſe*, where the Biſhops gave their *Voices* to decide whether they were to *vote* or not. But it was reſerved for another Time.

Deſigns of the King's Enemies.

One would have thought, that as the *Grievances* were almoſt redreſſed, the Parliament ſhould have had little more to do. But the Diſtruſt with regard to the King being exceeding great, the Leaders of the oppoſite Party to the King believed the redreſſing of paſt Grievances was not ſufficient. They had a mind alſo to prevent the like for the future, by putting it out of the King's Power to make an ill uſe of his Authority. It can hardly be denied that this Deſign was grounded upon very plauſible Reaſons, and ſuch as were capable of gaining the Conſent of thoſe who had only the Welfare of their Country in view. For if the King, whilſt he was inveſted with all the Prerogatives allowed him by the Laws, had abuſed his Power in order to eſtabliſh an arbitrary Government; if he had purſued the Execution of this Deſign for fifteen Years together; if he had not laid it aſide but by a ſuperior Force which had conſtrained him to call this Parliament, how could one be ſure that he would change his Principles and Maxims, if he were left in Poſſeſſion of the ſame Power that had helped him to execute his Project? Now there was ſcarce any of the Members of both *Houſes*, I ſay, even of thoſe who were moſt attached to the King, but what were convinced that the Conſtitution of the Government had been greatly endangered of late Years. See what the Lord *Clarendon* ſays on this Occaſion, in his Hiſtory of the Civil Wars:

1641.

Vol. I. p. 68. Octav. Edit.

For the better Support of these extraordinary Ways, and to protect the Agents and Instruments, who must be employed in them, and to discountenance and suppress all bold Enquiries and Opposers, the Council-Table and Star-Chamber enlarge their Jurisdictions to a vast extent. The Council-Table by Proclamations enjoining to the People what was not enjoined by the Law, and prohibiting that which was not prohibited; and the Star-Chamber censuring the Breach and Disobedience to those Proclamations by very great Fines and Imprisonment; so that any disrespect to any Acts of State, or to the Persons of Statesmen, was in no time more penal, and those Foundations of Right, by which Men valued their Security, to the Apprehension and Understanding of Wise-men, never more in danger to be destroyed.

If the Persons most devoted to the King, as was the Earl of *Clarendon*, had such Sentiments, we may easily judge what others thought, and whether they had reason to believe that the Redress of past *Grievances* was a sufficient Security for the time to come

But on the other Hand, neither can it be denied, that there were in the Parliament, Men who were brooding secret Designs against the Government of the Church, and that these Men thought the Diminution of the Regal Power was absolutely necessary to the Execution of their Designs, well-knowing the King would ever oppose them, as long as he retained his usual Authority. But it cannot be inferred, because they made use of the Reasons before-mentioned, to inflame the Parliament's Distrusts with regard to the King, for a private End of their own, that therefore these Reasons were bad. On the contrary, we may venture to assert that it was solely by the Weight of these Reasons that the *Presbyterians*, whose Number was inconsiderable in the Parliament and Kingdom, came at last to persuade the rest of the Parliament of the Necessity to restrain the King's-Power. If these Reasons had not been capable of convincing

the leaſt prejudiced Minds, they would never have ſucceeded in bringing the Parliament to take the Reſolutions that will be ſeen hereafter. For what Intereſt could the major Part of the Members of Parliament have to alter the Conſtitution of Church and State, if the time paſt had not afforded a juſt Occaſion to fear for the future? 1641.

Two oppoſite Opinions concerning the Deſigns of the Parliament.

From what I have been ſaying, there reſult two Opinions which have divided and ſtill do divide all *England*. The firſt aſcribes to the *Commons* in general, and to ſeveral Peers the private End deſigned by the *Presbyterians*. The Followers of this Opinion will not own that the Majority of the Members propoſed to themſelves a more juſt and lawful End in whatever they did againſt the King. Thoſe who embrace the ſecond Opinion, deny likewiſe this Diſtinction of Ends and Principles. They pretend that the oppoſite Party to the King always acted from Motives of Equity, Juſtice, and Love of their Country. For my part, I ſhall make no ſcruple to ſay, that I take both theſe Opinions to be very groundleſs. I can never believe that the greateſt Part of the Members of this Parliament, who, by the Confeſſion of the King's Friends themſelves, had at firſt no Deſire to make any Alterations in the Conſtitution of the Church or State, ſhould ſuffer themſelves to be corrupted by a ſmall Number of other Members, whoſe Views and Deſigns they were not ignorant of, ſo far as to be wholly guided by their Directions. Neither can I think that they ran into the Project of ſubverting Church and State out of Lazineſs, Ignorance, Stupidity, or that they fell into all the Snares the others were pleaſed to lay for them, as the Lord *Clarendon* inſinuates. I rather believe that they weighed the Reaſons which ſhould engage them to maintain the Conſtitution of Church and State, with the Danger of leaving it in its natural State, and that this Danger to them appeared ſo great, that in order to prevent it, they reſolved to agree to the Alterations intended by the *Presbyterians*.

1641. On the other Hand, I can as hardly believe that they who took so much care to keep up the Distrust between the King and Parliament, who were always ready to give an ill Turn to all the King's Words and Actions, who instead of healing, irritated the Wound, that these Men, I say, should only have in view Justice and the Good of their Country. Especially as they were seen to practise all sorts of ways to come to their private End, I mean, to a Charge of the Government of the Church, in which the rest of the Parliament had no concern. Nay rather, it would have been their Interest to oppose it, had they not dreaded a greater Mischief.

If therefore a Man blindly follows either of these two Opinions, without any Limitation, he will never be able to give a just Notion of this Parliament's Conduct. It is as difficult to believe that a whole Parliament, or at least the greatest Part of the Members, may combine together to subvert the Government of the Church and State, as it is to conceive that all these same Members may have acted only from disinterested Motives, and with the sole View of procuring the Welfare of the State in such a Juncture. This however is the Error into which almost all the *English* Historians are fallen. They have all embraced one or other of these two Opinions, the Spirit of Party not suffering them fairly to consider the several Springs which put the Members of this Parliament a-going, and this is what has begot great Obscurity in all they have said upon this Subject. The truest and best grounded System, in my Opinion, is briefly this:

The Author's System. The King had given great Occasions of Complaints to his Subjects, during the first Fifteen Years of his Reign. It is no wonder therefore that he had made himself abundance of Enemies, who earnestly wished to have the Government restored to its natural State. Among these Enemies, the *Presbyterians*, who besides the common, had their private *Grievances*, were the most eager. They wanted not only to diminish the King's Power, that he might not be able to hurt them,

but

but alſo to pull down the Eccleſiaſtical *Hierarchy*, and ſet up the *Presbyterian* Government in its Place, in which they were backed by the *Scots*. The King being forced to call this Parliament againſt his Will, there were few Members but what were bent upon redreſſing paſt *Grievances*, and preventing the like for the future. Even they who were not Enemies to the King, were thus reſolved, and it may be affirmed, that this was the general Senſe of the Members in the Beginning of the Parliament. But even among thoſe who deſired the Redreſs of *Grievances*, there were two different Opinions. Some were for ſtopping at the Redreſs of Grievances without going any farther, believing that would be ſufficient to hinder the King from attempting a ſecond Time an Enterprize which had proved ſo unſucceſsful. This was the King's Sentiments, as well as of many Members of both *Houſes*. Others were not only for redreſſing *Grievances*, but alſo for taking proper Meaſures to prevent the like Miſchiefs for the time to come. The *Presbyterians* were of this Number: but they had moreover larger Views and more hidden Deſigns, namely, to introduce *Presbyterianiſm* into the Church. To compaſs this End, it was neceſſary to deprive the King of a Power which they foreſaw he would not fail to exert in Oppoſition to their Deſign; and there was no better way to do this, than by keeping up and cheriſhing the Parliament's Diſtruſt, to which the Members for the moſt part were already but too much inclined. All they had to do then was only to gain a ſufficient Number of thoſe who were willing to ſtop at the Redreſs of Grievances, and nothing was more proper to obtain their Concurrence than to fill them with Fears and Suſpicions. This was the Reaſon that ſuch Care was taken to aggravate the Conſpiracy to ſeduce the Army, to dwell continually upon the pretended Deſign of bringing them to *London*, to ſpread a Report that a *French* Army was going to land and ſeize *Portſmouth*, with the King's Conſent, and I know not how many other Rumours equally improbable. 1641.

1641. This was the Cauſe of ſo many Endeavours to exclude the Biſhops from the *Upper-Houſe*, in order to leſſen as much as poſſible, their Party who were for ſtopping at the Redreſs of *Grievances*. This likewiſe was the Reaſon that ſo many Mortifications were given the King, to the end he might be induced to take ſome Step, which would give his Enemies an Advantage, and be capable of convincing the more ſober and moderate, that it was dangerous to leave him in Poſſeſſion of his whole Power. It is not very ſtrange therefore that many of thoſe who were againſt carrying Things to Extremities, ſhould ſuffer themſelves in the end to be prevailed upon, by the Fears and Suſpicions perpetually ſuggeſted to them. To confirm themſelves in their Opinion, they had no other Ground than their Truſt and Confidence in the King's Word, againſt which there were unanſwerable Objections, as for Inſtance, the Violation of *the Petition of Right*.

By theſe direct and indirect Means, the *Presbyterians* at length ſucceeded in gaining a ſufficient Number of Votes to give them a Majority in the Houſe of *Commons*, at leaſt, as to the Deſign of diminiſhing the King's Power. When this Party was become uppermoſt, their Oppoſers ſtrove in vain to curb their Fury. On the other Hand, the King himſelf fell into the Snares they laid for him, and took ſuch Steps, that as we ſhall ſee hereafter, made him loſe a great Number of thoſe who till then had appeared the moſt moderate. Here is a Paſſage of the Lord *Clarendon*'s Hiſtory, which will ſerve to clear this Matter.

Vol. II. p. 320. *I know not how thoſe Men have already anſwered it to their own Conſciences, who having aſſumed their Country's Truſt, and it may be, with great Earneſtneſs laboured to procure that Truſt, by their ſupine Lazineſs, Negligence, and Abſence were the firſt Inlets to thoſe Inundations; and ſo contributed to thoſe Licenſes which have overwhelmed us. For by this Means a handful of Men, much inferiour in the beginning, in Number and Intereſt,*

Intereſt, came to give Laws to the major Part; and to ſhow that three diligent Perſons are really a greater and more ſignificant Number than ten unconcerned, They by Plurality of Voices, in the end, converted or reduced the whole Body to their Opinions. It is true, Men of Activity and Faction in any Deſign have many Advantages that a compoſed and ſettled Council, though induſtrious enough, uſually have not; and ſome that Gallant Men cannot give themſelves leave to entertain, even for the Prevention of all the Miſchief the others intend. 1641.

The Earl of *Clarendon* grants that a handful of Men, at firſt much inferiour in Number and Credit, converted in the end the whole *Houſe* to their Opinions. But as he was a zealous Stickler for the King, he took Care not to aſcribe the Succeſs of this handful of Men, to the Weight and Solidity of the Reaſons alledged by the others to reduce them to their Sentiments. It was requiſite however to give ſome Reaſon of it, and he found no better than the Lazineſs, Negligence, and Indifference of the King's Friends, and the Vigilance of the others. I do not know whether this Reaſon will be capable to ſatisfy the impartial and unbyaſſed.

This, as I verily believe, is the true Syſtem which ought to be laid down, in order to give a clear Idea of the Conduct of this Parliament, and I hope this Digreſſion will not be unſerviceable for the better underſtanding what ſhall be ſaid hereafter.

The Commons prepare a Remonſtrance of the State of the Kingdom.

The Parliament ſeemed to have nothing more to do, all the *Grievances* being in a manner redreſſed, and the Armies disbanded. But after what I have been ſaying, it will not doubtleſs be thought ſtrange that the *Houſe* of *Commons* ſhould order the Committee, which in the beginning of the Parliament was charged to ſet about a Remonſtrance of the State of the Kingdom, to reſume and finiſh that Buſineſs. Nothing would have been more needleſs than ſuch a *Remonſtrance*, after the Grievances were redreſſed, if it had not been intended on purpoſe to quarrel with

1641. the King, and afford a Pretenſe to put off to another Time the ſettling his Revenues, which was the only Thing that remained to be done and which the King expected. I have ſaid already that there was a Party in the Parliament, who meant not to ſtop at the redreſs of Grievances. It was theſe Men that cauſed the *Remonſtrance* to be reſumed, in Expectation the King would be diſpleaſed with it, and take ſome Step that ſhould make way for the Execution of the Project they had formed.

The Iriſh *Rebellion.* Ruſh. IV. p. 398.

But whilſt this *Remonſtrance* was preparing, an Affair of ſuch Conſequence unexpectedly happened, that the *Commons* were obliged for a Time to lay aſide all other Matters. I mean the *Iriſh* Rebellion, the News whereof came to *London* the 1ſt of *November* 1641.

Since the End of the Reign of Queen *Elizabeth*, when *Tir-Owen*'s Rebellion was happily quelled, the *Iriſh* had lived in a peaceable manner under the Dominion of *James* I. and *Charles* I. Not but that the Lord Deputies had all along an Eye over them, looking upon them as Men whoſe Fidelity was very ſuſpected: But at leaſt, they had found no Occaſion to complain, that they were worſe uſed than in former Reigns. As to their Religion, it is eaſy to imagine they had ſuffered no new Troubles under theſe two Princes, who thought of nothing leſs than of perſecuting the *Catholicks*. Nevertheleſs, in the Month of *March* or *April* this Year 1641, the *Iriſh* formed the Project of caſting off the *Engliſh* Yoke, of ſeizing upon all the fortified Places, and of cutting the Throats of all the *Engliſh* throughout the whole Kingdom. The Day appointed for putting this bloody Deſign in Execution was the 23d of *October*, at which Time they were to riſe all over the Iſland. This Deſign was really executed, as it had been projected, and it is ſaid on that and the following Days above forty Thouſand *Engliſh* Proteſtants were maſſacred by the *Iriſh*. But the Project of ſeizing the ſame Day upon the Caſtle of *Dublin*, where

was a great Magazine of Proviſions and Stores, was diſcovered the Night before and prevented by the Diligence of the Lords Juſtices of *Ireland*, who governed in the Abſence of the Earl of *Leiceſter*, who had been appointed Lord-Lieutenant ſome Months before, and was yet in *England*. 1641.

This News being communicated to the *Commons* by the Lords of the Privy-Council, filled the *Houſe* with Conſternation and Terror, and at the ſame Time with Indignation againſt the Rebels. They immediately turned themſelves into a grand Committee, and paſſed the following Reſolves :

That 50,000 *l.* ſhall be forthwith provided for the Service of *Ireland*.

That a Conference be had with the Lords to move them, that a ſelect Committee of the Members of both *Houſes* may be appointed to go to the City of *London*, and propoſe unto them the Loan of that Sum.

The Votes of the Commons about Ireland. Ruſh. IV. p. 404.

That a ſelect Committee of both *Houſes* may be named to conſider of the Affairs of *Ireland*, and of the ſending of Men and Ammunition from hence into that Kingdom.

That *Owen Conally*, who diſcovered this great Treaſon in *Ireland*, ſhall have 500 *l.* preſently paid him, and 200 *l. per Annum* Penſion, untill Proviſion be made for an Inheritance of greater Value.

That the Cuſtody of the Iſle of *Wight* be taken for the preſent from the Lord *Weſton*, ſuſpected of being a Catholick, and ſequeſtered into another Hand.

That the Perſons of *Papiſts* of Quality in the ſeveral Counties of this Kingdom, where ever they reſide, may be ſecured.

That the Lords be deſired to join concerning the Diſſolution of the Houſe of *Capuchins*, and the ſpeedy ſending them away, according to the former Deſires of this Houſe.

That

1641. That the Ambaſſadors may be ſent to from both *Houſes* to deliver up ſuch Prieſts of the King's Subjects as are in their Houſes.

That a Liſt be brought in of the Queen's Prieſts, and other her Servants.

That a Proclamation be iſſued forth, commanding all Strangers that are not of the Proteſtant Religion, to deliver in Tickets of their Names, and an Account of their ſtay here, within two Days after the iſſuing forth of the ſaid Proclamation, or elſe to depart the Kingdom forthwith, *&c.*

Ruſh. IV. p. [405] The Lords agreed to the propoſed Loan, and named ſome of their Members to form a Committee of both *Houſes*. Whereupon the *Commons* appointed Fifty-two to meet the Lords, and to be a ſtanding Committee for the Affairs of *Ireland*.

Other Votes. Two Days after the *Commons* voted again,

That the *Houſe* holds fit that 200,000 *l.* be forthwith ſupplied for the preſent Occaſions of *Ireland*.

That a convenient Number of Ships ſhall be provided for the guarding the Sea-Coaſt of *Ireland*.

That 6000 Foot, and 2000 Horſe ſhall be raiſed with all convenient ſpeed for the preſent Expedition into *Ireland*. And that the Lord-Lieutenant ſhall preſent to both *Houſes* of Parliament, ſuch Officers as he ſhall think fit to ſend into *Ireland*, to command any Forces to be tranſported thither.

That the Magazines of Victuals ſhall be forthwith provided at *Weſt-Cheſter*, to be ſent over to *Dublin*, as the Occaſions of that Kingdom ſhall require.

That the Magazines of Arms, Ammunition, Powder, now in *Carliſle*, ſhall be forthwith ſent over to *Knockfergus* in *Ireland*.

That it be referred to the King's Council to conſider of ſome fit way, and to preſent it to the *Houſe*, for a Publication to be made of Rewards to be given to ſuch as ſhall do Service in this Expedition into *Ireland*, and for a Pardon of ſuch of the Rebels as

ſhall

ſhall come in by a Time limited, and of a Sum of Money to be appointed for a Reward of ſuch as ſhall bring in the Heads of ſuch principal Rebels as ſhall be nominated. 1641.

That Letters ſhall be forthwith ſent to the Juſtices in *Ireland*, to acquaint them how ſenſible this *Houſe* is of the Affairs of *Ireland*.

That the Committee of *Iriſh* Affairs ſhall conſider how, and in what Manner this Kingdom ſhall make uſe of the Friendſhip and Aſſiſtance of *Scotland* in the Buſineſs of *Ireland*.

That Directions ſhall be given for the drawing of a *Bill* for the *preſſing* of Men, for this particular of *Ireland*.

Some Days after both *Houſes* publiſhed a Declaration to acquaint the Publick that they had reſolved to aſſiſt the King with all their Power to reduce the *Iriſh* Rebels.

The King demands Aid of the Parliament of Scotland. *Their Anſwer.* Nalſon. II. p. 604.

The King, who was ſtill in *Scotland*, had received Intelligence of what had paſſed in the *North* of *Ireland*, by a Letter from the Marquiſs of *Chicheſter* from *Belfaſt*; but he did not know that the *Iriſh* had miſcarried in their Deſign upon the Caſtle of *Dublin*. Upon the firſt notice he imparted the Matter to the Parliament of *Scotland*, and demanded their Aſſiſtance. The Parliament replied, that *Ireland* being dependent upon the Crown of *England*, and his Majeſty having already writ to the Parliament of *England* on that Subject, and ſent to *Ireland* for farther Information, no other Courſe could be taken, and the rather as the Parliament of *England* might conceive Jealouſies; but that after fuller Information, if the *Engliſh* ſhould think the Aſſiſtance of *Scotland* neceſſary, they would be ready with their Aid, as ſoon as *England*.

Ireland ſtands in need of a powerful Aid.

The Rebellion daily increaſed. The *Engliſh* themſelves of the *Pale* joined with the *Iriſh*, having pretended for ſome Time to ſtand by the Intereſt of *England*. Theſe *Engliſh* of the *Pale* were Deſcendents of

1641. of the antient Conquerors of *Ireland*, who ſettled there in the Reign of *Henry* II, and who at the Time of the Reformation continued in the *Roman-Catholick* Religion. It was neceſſary therefore to ſend a ſtrong Force into *Ireland* to reduce the Rebels to Obedience. And yet, though the Letters from the Lords Juſtices for Aſſiſtance were frequent and preſſing, though the Rebels continually increaſed in Number and Strength, though the King moſt earneſtly preſſed both *Houſes* to ſend Men, Money, and Ammunition to *Ireland*, though the Parliament ſhowed an extreme Deſire to reduce that Kingdom, it is certain the Supplies that were ſent thither were but ſmall and fitter to keep up than end the War. We ſhould wonder no doubt to ſee ſo much Ardour in Words, and ſo great Backwardneſs in Deeds, were we not informed of the Reaſon of this Conduct. And therefore it will be requiſite to explain it.

Weak Supplies are ſent.

Reaſon of it.

We have ſeen above how the Houſe of *Commons* ſtood affected, whilſt the King was in *Scotland*. A Reſolution was taken to deveſt him of part of his Power. The Views of ſome were only to hinder him from abuſing it for the future. Others added to this Motive, the Deſign of rendering him unable to oppoſe the Change they were meditating, in regard to the Government of the Church. The Order of the *Houſe* to the Committee to ſet about the *Remonſtrance* of the State of the Kingdom, was a clear Evidence that they had ſome ſecret Deſign which would ſhow it ſelf in due Time. Whilſt Meaſures are taking to put this Deſign in Execution, the *Iriſh* riſe in Rebellion at a Time when they ſeemed to have the leaſt Reaſon, ſince the Government had never been more gentle to them than in the preſent Reign. They maſſacred in cold Blood above forty Thouſand *Engliſh* Proteſtants, and unfortunately for the King, they take it in their Heads to ſpread a Report that they had his Authority for what they did. They called themſelves the Queen's Army, and diſperſed all over the Kingdom, Copies of a pretend-

The Iriſh *pretend to act by the King's Orders.*

ed

ed Commiſſion under the Great-Seal, which they pretend to have from the King to authorize them to take Arms. It cannot be denied that all this was capable of making deep Impreſſions on the Minds of thoſe who were already ill-affected to the King, and believed him capable of any Thing to avoid the Servitude they were preparing for him. Indeed, the Sober and moſt Conſiderate did not think it poſſible, or even probable, that the King ſhould be willing to have his Proteſtant Subjects of *Ireland* maſſacred. But they ſuſpected however that this Rebellion, which broke out at ſuch a Juncture, was not wholly owing to the Diſcontent of the *Iriſh*, and that it was very poſſible the King had ſtirred it up, to find the Parliament Employment, and divert them from the Project they had formed. As to the Maſſacre of the Proteſtants, they did not believe the King had any Hand in it, but they imagined it very poſſible, that after having ſtirred up the Rebellion, it was not in his Power to reſtrain the *Iriſh*. The King on his part, not knowing what was ſaid againſt him in *England*, uſed his utmoſt Endeavours to clear himſelf from this black Imputation, by preſſing the Parliament to ſend a ſpeedy Aid into *Ireland*. But theſe Sollicitations had a quite contrary Effect, becauſe it was believed that his Aim was to leave *England* unprovided with Troops, and to engage the Parliament in an *Iriſh* War, which muſt have been very expenſive. This was the Reaſon that the *Commons* proceeded with Deliberation, and ſent but inconſiderable Succours into *Ireland*, being apprehenſive that the *Iriſh* Rebellion was a Snare laid for them by the King, to cauſe them to conſume the *Engliſh* Troops and Money. 1641.

Orders from the Heads of the Rebels to publiſh the King's pretended Commiſſion.

As ſeveral have ſpoken of this pretended Commiſſion from the King to the *Papiſts* of *Ireland* to authorize them to take up Arms, and as ſome have repreſented it as true, others, as doubtful, but moſt as an evident Forgery, I thought it would not be unacceptable to inſert it here. I ſhall add a circular Letter

1641. Letter ſent with the Copy of the pretended Commiſſion from the Leaders of the Rebels, to thoſe of their Party.

From our Camp at the Newry, *this* 4*th of* November, 1641.

Phelim O Neal, Rory Mac Guire, &c.

Ruſh. IV. p. 400. To all Catholicks of the *Roman*-Party, both *Engliſh* and *Iriſh*, within the Kingdom of *Ireland*, we wiſh all Happineſs, Freedom of Conſcience, and Victory over the *Engliſh* Hereticks, who have for a long Time tyrannized over our Bodies, and uſurped by Extortion our Eſtates.

" BE it hereby made known unto you all, our " Friends and Countrymen, that the King's " moſt excellent Majeſty, for many great and ur- " gent Cauſes thereunto moving, repoſing Truſt " and Confidence in our Fidelity, has ſignified unto " us, by his Commiſſion under the Great-Seal of " *Scotland*, bearing Date at *Edenburgh* the firſt Day " of this Inſtant *October* 1641, and alſo by Letters " under his Sign Manual, bearing Date with the ſaid " Commiſſion, of divers great and heinous Affronts, " that the *Engliſh* Proteſtants, eſpecially the Parlia- " ment there, have publiſhed againſt his Royal Per- " ſon and Prerogative, and alſo againſt our Catho- " lick Friends, within the Kingdom of *England*; " the Copy of which Commiſſion we have here ſent " unto you to be publiſhed with all ſpeed in all " Parts of this Kingdom, that you may be aſſured " of our ſufficient Warrant and Authority herein, " *viz.*

CHARLES

CHARLES *by the Grace of God King of* England, Scotland, France, *and* Ireland, *Defender of the Faith*, &c. *To all Catholick Subjects within our Kingdom of* Ireland, *Greeting. Know you that We, for the Safeguard and Preſervation of our Perſon have been forced to make our Aboad and Reſidence in our Kingdom of* Scotland, *for a long Seaſon, occaſioned by Reaſon of the obſtinate and diſobedient Carriage of our Parliament of* England *againſt us, who have not only preſumed to take upon them the Government, and diſpoſing of thoſe Princely Rights and Prerogatives that have juſtly deſcended unto us from our Predeceſſors, both Kings and Queens of the ſaid Kingdom, for many Hundred Years paſt, but alſo have poſſeſſed themſelves of the Strength of the ſaid Kingdom, in appointing Governours, Commanders, Officers, in all Parts and Places therein, at their own Will and Pleaſure without our Conſent; whereby we are deprived of our Sovereignty, and left naked without Defenſe: And for as much as we are in our ſelves very ſenſible that theſe Storms blow aloft, and are very likely to be carried by the Vehemency of the Proteſtant Party into our Kingdom of* Ireland, *and endanger our Royal Power and Authority there alſo; Know ye therefore, that we, repoſing much Care and Truſt in your Duty and Obedience, which we have for many Years paſt found, do hereby give unto you full Power and Authority to aſſemble and meet together, with all the Speed and Diligence that a Buſineſs of ſo great a Conſequence doth require, and to adviſe and conſult together by a ſufficient and diſcreet Number, at all Times, Days, and Places, which you ſhall in your Judgments hold moſt convenient and material for the ordering, ſettling, and effecting of this great Work, mentioned and directed to you in our Letters, and to uſe all politick Ways and Means poſſible to poſſeſs your ſelves, for our uſe and ſafety of all the Forts, Caſtles, and Places of Strength and Defence within the ſaid Kingdom, except the Places, Perſons and Eſtates of our loving Subjects the* Scots: *And alſo to arreſt and ſeize the Goods, Eſtates, and Perſons, of all the* 1641.

Engliſh

1641. Engliſh *Proteſtants within the ſaid Kingdom to our uſe; and in your Care and ſpeedy Performance of this our Will and Pleaſure, we ſhall perceive your wonted Duty and Allegiance unto us, which we ſhall acknowledge and reward in due Time.*

Witneſs our Self at *Edinburgh*, the 1ſt Day of *October*, in the 17th Year of our Reign.

Arguments that the King cannot have given this Commiſſion.

Though for many Reaſons it be more than probable that the King never granted a Commiſſion to the *Iriſh* to take up Arms, it is however certain they gave out they had ſuch a Thing. But it is no leſs certain, that it could not be the Commiſſion abovementioned, neither could this here be that publiſhed by the Leaders of the *Iriſh* Rebels. My Reaſon is, becauſe in this Commiſſion, the King is made to ſay Things that happened not till ſeveral Months after the Day of the Date, and which thoſe who ſuppoſe it to have been publiſhed the 4th of *November* could not foreſee. The King is made to ſay on the 1ſt of *October* 1641, that the Parliament had poſſeſſed themſelves of his Sovereignty, and appointed Governours, Commanders and Officers, in all Places, which certainly was not done before the Month of *October* 1641. It muſt needs be therefore that *Ruſhworth*, who inſerted the Commiſſion above in his *Collections*, had bad *Memoirs* and little Judgment, not to ſee in this pretended Commiſſion of the 1ſt of *October* 1641, Things which happened not till the next Year 1642. However it is true, the *Iriſh* boaſted of having the King's Commiſſion. But it is pretended they forged it themſelves, and faſtned to it an Impreſſion of the *Great-Seal*, which they had taken off from ſome Grant or Patent.

The Effect of this Rumour to the King.

Be this as it will, the Pretenſion of the *Iriſh* that they had the King's and Queen's Authority, was of very ill Conſequence for the King. There were but too many who had an ill Opinion of his Zeal for the Proteſtant Religion, and thought him capable of being induced by the Queen's Sollicitations to reſtore the

the Catholick Religion in *England*. The former Parliaments had discovered their Suspicions on that account, and the King had never taken any effectual Step to undeceive them, but given them good Words only, which were followed with no Effects. When therefore the News came that the *Irish* Papists were up in Arms, and had massacred all the *Protestants* that fell in their way, it was very natural to dread the like Plot in *England*, which could not but be extremely prejudicial to the King. Though the Parliament did not seem to regard much the Calumny which was spread against the King, they were filled with Distrust however, and this Distrust made them think it not proper to leave *England* without Troops, Money, and Ammunition, in order to assist *Ireland*, for fear *England* should be unprovided, in Case the same Plot should be contriving there. Nay, it was the Interest of the Leading-Men in the Parliament to feign a greater Distrust than they really had, that they might strengthen the Suspicions and Fears of such Members as were but half perswaded. This served to convince them how necessary it was to curb the King's Power, and render him uncapable to put his Designs in Execution. 1641.

The King's Enemies attain their Ends by divers Degrees.

But though the Party of those who were for lessening the Regal Power were numerous in the Parliament, they were not however in Condition yet to go on as they pleased. Matters were to be prepared by Degrees, one while by cherishing Suspicions and Fears, another while by engaging the *House* to take proper Steps to lead them to their End, which was not known to all the Members.

Instructions to the Committee in Scotland *mortifying to the King.*

With this View it was, that under Colour of thanking the *Scots* for their promised Assistance in regard to *Ireland*, and of treating with them about the same, they got the *House* to send to the Committee in *Scotland* new Instructions very grating to the King. The *House* said in these Instructions,

1641. Rush. IV. p. 422.

" That they had just Cause to believe that the " Conspiracies and Commotions in *Ireland*, were but " the Effects of the bad Counsels of those who con- " tinued in Credit, Authority and Employment a- " bout his Majesty; therefore they feared that the " great Aids which should be raised for subduing " the Rebellion in *Ireland*, would be applied to the " fomenting of it there, and encouraging some such " like Attempt in *England*. And therefore the *Com-* " *mons* besought his Majesty to change those Coun- " cils, from which such ill Courses had proceeded, " and to employ such Ministers as should be approv- " ed of by his Parliament, who are his greatest and " most faithful Council. But if his Majesty did not " condescend to their Supplications, they should be " forced to resolve upon some way of defending *Ire-* " *land* from the Rebels, and of securing themselves " from mischievous Counsels and Designs; and com- " mand those Aids and Contributions which should " be raised for the reducing of *Ireland* to the Custo- " dy and disposing of such Persons of Honour and " Fidelity, as they had Cause to confide in ".

These Instructions conclude with the following Article.

You shall represent to his most excellent Majesty this our humble and faithful Declaration, that we cannot without much Grief remember the great Miseries, Burthens, and Distempers, which have for divers Years afflicted all his Kingdoms and Dominions, and brought them to the last point of Ruin and Destruction; all which have issued from the cunning, false, and malicious Practices of some of those who have been admitted into very near Places of Council and Authority about him, who have been Favourers of Popery, Superstition and Innovation, Subverters of Religion, Honour, and Justice, Factors for promoting the Designs of foreign Princes and States, to the great apparent Danger of his Royal Person, Crown,

and

and Dignity, and of all his People; Authors of falſe Scandals and Jealouſies betwixt his Majeſty and his loyal Subjects; Enemies to the Peace, Union and Confidence betwixt him and his Parliament, which is the ſureſt Foundation of Proſperity and Greatneſs to his Majeſty, of Comfort and Hope to them: That by their Councils and Endeavours, thoſe great Sums which have been lately drawn from the People, have been either conſumed unprofitably, or in the Maintenance of ſuch Deſigns as have been miſchievous and deſtructive to the State; and whilſt we have been labouring to ſupport his Majeſty, to purge out the Corruption, and reſtore the Decays both of Church and State, others of their Faction and Party have been contriving by Violence and Force to ſuppreſs the Liberty of Parliament (a), and endanger the Safety of thoſe who have oppoſed ſuch wicked and pernicious Courſes. 1641.

Great Debates touching the Remonſtrance.

This was properly a Fore-runner to the *Remonſtrance* of the State of the Kingdom, which was to be brought into the *Houſe* the firſt Opportunity, and which was actually read there the 22d of *November*. It met with ſo ſtrong Oppoſition, that the Debates laſted from Three in the Afternoon till Three in the Morning *. Many thought it needleſs to reproach the King with Grievances, to the Redreſs whereof he had without Sollicitation given a full Conſent, and that beſides the Needleſſneſs of the *Remonſtrance*, it would ſerve only to rip up old Wounds, to which a Cure had been applied, and infallibly make the Breach wider between the King and Parliament. But this very reaſon was preciſely the Motive which ſpurred on the others to do their utmoſt to get the *Remon-*

(a) Alluding to the Conſpiracy to ſeduce the Army.

* The Debate, ſays *Whitlock*, laſted till Ten a Clock the next Morning. The Lord *Clarendon* ſays, from Nine in the Morning till after Twelve at Night. The ſitting up all Night cauſed Sir *B. R.* to compare it *to the Verdict of a ſtarved Jury*, Whit. p. 49. *Oliver Cromwell* told the Lord *Falkland*, "That if the *Remonſtrance* had been rejected, he would have ſold all he had the "next Morning, and never have ſeen *England* more." *Clarend.* II. p. 312.

1641. *ſtrance* approved of, becauſe they wanted a Diſſention between the King and Parliament, in order to bring both *Houſes* to conſent to the Diminution of the Regal Power. I do not take upon me to determine whether the Deſign of rendering the King uncapable of governing for the future as he had done during Fifteen Years, was juſt in itſelf or neceſſary for the Welfare of the Kingdom. But it can hardly be denied that the Reaſons wherewith it was ſupported were plauſible enough. I will not affirm that they who formed it or preſſed the Execution thereof had only their Country's Good in view; as on the other Hand, I do not well ſee what Security they could have, who were for leaving the King in Poſſeſſion of the ſame Power he had enjoyed before. However that be, the *Remonſtrance* was a ſort of *Touchſtone* to ſhow which of the two Parties ſhould prevail, and withal to decide in ſome meaſure the Fate of the King's Affairs. In ſhort, after a Debate of Twelve Hours, it was carried by a Majority of Nine Voices only that the *Remonſtrance* ſhould be preſented to his Majeſty. The Lord *Clarendon* ſays, "It was carried "by the Hour of the Night, which drove away a "greater Number of old and infirm Oppoſers than "would have made thoſe of the *Negative* Superior in "Number." But this way of reaſoning to me ſeems to be weak. The ſame thing might alſo be alledged to prove, that it would have paſſed by more than Nine Voices, if ſeveral of thoſe who were for it had not gone out of the *Houſe*. For how could Infirmity or Wearineſs have a greater Effect upon one Party than the other? *

It paſſes by nine Voices only.

It is ordered to be printed. Clarend. II. p 312.

This Reſolution was no ſooner taken but Mr. *Hambden*, who was of the victorious Party, moved for the preſent printing of the *Remonſtrance*, not thinking it neceſſary to communicate it to the Lords, ſince it ran only in the Name of the *Commons*. His Deſign was

* *Whitlock* ſays indeed, that ſitting up all Night cauſed many through Weakneſs or Wearineſs to leave the *Houſe*, but does not ſay they were of this or that Party, *p.* 49.

was that it ſhould be diſperſed among the People to ſtir them up againſt the King, which was alſo the Intention of his whole Party. This Motion, which was contrary to Cuſtom, ſince they ſhould have ſtayed at leaſt till the *Remonſtrance* had been preſented to the King, before they conſidered of the Publication, produced a ſharp Debate in the *Houſe*, every one plainly perceiving the Conſequence. But at laſt, the ſame Party that prevailed in the firſt, prevailed likewiſe in the ſecond Queſtion, and the *Remonſtrance* was ordered to be printed. Some of the Oppoſers offered to enter a Proteſtation againſt it; but as it was not the Cuſtom of the *Houſe* to admit of Proteſtations, Mr. *Palmer*, who was the firſt that cried, *I do proteſt*, was ſent to the *Tower*; but he was releaſed after a few Days, and took his Place again in the *Houſe*. 1641. Ibid. p. 315.

The King returns from Scotland, *and is received with great Reſpect at* London. Ruſh. IV. p. 449.

Three Days after, namely, the 25th of *November*, the King being returned from *Scotland*, paſſed through the City of *London*, and dined at *Guild-Hall*. He was received in his Capital with the ſame Demonſtrations of Joy, Reſpect and Submiſſion as were given on the like Occaſions to ſuch of his Predeceſſors as were moſt beloved by the People, and he had all the Reaſon in the World to be pleaſed with the Forwardneſs every body ſhowed to do him Honour. But the Satisfaction he received from theſe publick Demonſtrations of the Affection of the City of *London*, laſted not long.

The Earl of Eſſex *reſigns his Commiſſion.*

The Commons deſire the Continuance of the Guards; the King refuſes it. Ruſh. IV. p. 435. Nalſon, II. p. 685.

As ſoon as the King came to *Whitehall*, the Earl of *Eſſex* ſurrendered his Commiſſion of Captain-General of the *South* Parts of the Kingdom into his Hands; and the next Day the King diſmiſſed the Guards which the Earl had given to both *Houſes* at their Requeſt. The *Commons* appeared diſpleaſed at it, and deſired the Lords to concur with them in petitioning the King that the Guards might be continued till they had ſatisfied his Majeſty of the Reaſons why a Guard was neceſſary. The Lords conſented to it, and the Earl of *Warwick* and the Lord *Digby* were ordered to move his Majeſty accordingly; but they could not prevail.

1641. *He offers another Guard.*

The King answered, he saw no reason to continue the Guard: but however, he would command the Earl of *Dorset* to appoint some of the *Train-Bands* only for a few Days, to wait on both *Houses*, and if in that time he should be satisfied there was just reason, would continue them. He fully perceived that the Aim of those who desired the Continuance of the Guards, was only to cherish the Fears and Suspicions of the People. Upon this Answer the *Commons* presented a Memorial to the King, containing the Reasons why they desired the Guard might be continued, adding, they would not have a Guard under the Command of any Person not chosen by themselves. But as their Reasons were built upon very improbable Suppositions, they were without Effect.

The Commons refuse it.

Committee to present the Remonstrance to the King.

The *Commons* insisted no farther on this Matter. But in a few Days after, they sent a Committee to present to the King, who was then at *Hampton-Court*, the *Remonstrance* before-mentioned, with a *Petition* of the *House*. This was the Alarum-Bell of the Discord between the King and the Parliament, as his Enemies had plainly foreseen. I think it necessary to insert here what passed with respect to this *Remonstrance*, which was attended with such Consequences, the Report of the Committee sent to the King, the *Petition* of the *House* with the *Remonstrance* itself, on which I shall make some Remarks, that the Reader may be able to judge what is just and true, and what is disguised or aggravated *.

* These Remarks the Author has inserted in the Body of the *Remonstrance*; but the Translator has thought fit to place them at the Bottom of the Page, where the Reader is desired to peruse them as he goes along.

Sir

1641.

Sir Ralph Hopton's *Report to the Houſe of Commons, of what paſſed at his preſenting the* Petition *and* Remonſtrance *to the King.* Dec. 1. 1641.

'HE ſaid, that the laſt Night, in the Evening, he and thoſe that accompanied him, came into *Hampton-Court*, where meeting with Sir *Richard Wynn*, he went in to his Majeſty, and gave him notice of our being there; and within a Quarter of an Hour *the King* ſent a *Gentleman Uſher* to call us in, with Directions for none to come in but our ſelves; whereupon I did according to your Order, and the reſt with me upon our *Knees*, preſenting the *Petition* and *Remonſtrance*, and begun to read it kneeling, but his Majeſty would not permit that, but commanded us to riſe, and ſo I read it.

Sir Ralph Hopton's *Report.* Ruſh. VI. p. 436.

'The firſt thing that his Majeſty ſpake at the reading thereof, was to that part of the *Petition*, that *charges* a *malignant* Party to be about his Majeſty, with a deſign to change *Religion*; to which his Majeſty with a hearty Fervency ſaid, *The Devil take him whomſoever he be that has a Deſign to change Religion.* Then I proceeded to read on; and when I came to that part of the Remonſtrance of reſerving the Lands of the *Rebels* in *Ireland* toward the ſuppreſſing them: His Majeſty ſpake and ſaid, *We muſt not diſpoſe of the Bears-Skin till the Bear be dead.*

'After the *Petition* was read, his Majeſty ſaid, he deſired to ask us ſome Queſtions; but I anſwered, We had no Power to ſpeak to any thing, but wherein we had Commiſſion; then ſaid his Majeſty, Doth the Houſe intend to publiſh this Declaration? We ſaid, we could not anſwer to it: *Well then,*

1641. ‘ said his Majesty, *I suppose you do not expect an An-*
‘ *swer to so long a Petition; but this let me tell you, I*
‘ *have left* Scotland *well in Peace; they are well satisfied*
‘ *with me, and I with them; and though I staid longer*
‘ *than I expected, I think if I had not gone, you had*
‘ *not been so soon rid of the Army: I shall give you an*
‘ *Answer to this Business with as much Speed as the*
‘ *Weight thereof will permit.* And so was pleased to
‘ give us his Hand to Kiss; and thereupon we took
‘ our Leave, and afterwards Mr. *Comptroller* came
‘ to us with this Message, that the King desired there
‘ should be no publishing of this Declaration, till we
‘ had received his Answer: We were all that Night
‘ treated by Mr. *Comptroller* at Supper, and enter-
‘ tained with great Respect, and lodged by the King's
‘ Harbinger.’

The PETITION *of the House of Commons, which accompanied the* Remonstrance *of the State of the Kingdom, when it was presented to his Majesty at* Hampton-Court, Dec. 1. 1641.

Most Gracious Sovereign,

The Petition which accompanied the Remonstrance. Rush. IV. p. 437. Nalson II. p. 692.

‘ YOUR Majesty's most humble and faithful
‘ Subjects, the *Commons* in this present Parlia-
‘ ment assembled, do with much *Thankfulness* and
‘ *Joy*, acknowledge the great Mercy and Favour of
‘ God, in giving your *Majesty* a safe and *peaceable*
‘ *Return out of Scotland* into your Kingdom of *Eng-*
‘ *land*, where the pressing *Dangers and Distempers of*
‘ *the State*, have caused us with much Earnestness to
‘ desire the Comfort of your gracious *Presence*, and
‘ likewise the Unity and Justice of your Royal Au-
‘ thority, to give more Life and Power to the duti-

'ful and loyal Counſels and Endeavours of your Par- 1641.
'liament, for the Prevention of that imminent Ruin
'and Deſtruction wherein your Kingdoms of *England*
'and *Scotland are threatned. The Duty* which we
'owe to your Majeſty, and our *Country*, cannot but
'make us very ſenſible and apprehenſive, that the
'Multiplicity, Sharpneſs, and Malignity of thoſe
'Evils under which we have now many Years ſuffe-
'red, are fomented and *cheriſhed by a corrupt* and
'*ill-affected Party*, who amongſt other their miſ-
'chievous *Devices for the Alteration of Religion* and
'Government, have ſought by many falſe Scandals
'and Imputations, *cunningly inſinuated* and diſperſed
'among the People, *to blemiſh and diſgrace our Pro-*
'*ceedings in this Parliament*, and to get themſelves a
'Party and Faction amongſt your Subjects, for the
'better ſtrengthning themſelves in their wicked
'Courſes, and hindering thoſe Proviſions and Re-
'medies, which might by the Wiſdom of your Ma-
'jeſty, and Counſel of your Parliament, be oppoſed
'againſt them.

'*For preventing whereof*, and the better Informa-
'tion of your Majeſty, your Peers, and all other
'your loyal Subjects, we have been *neceſſitated to*
'*make a Declaration of the State of the Kingdom, both*
'*before and ſince the Aſſembly of this Parliament, unto*
'*this time*, which we do humbly preſent to your
'Majeſty, *without the leaſt Intention to lay any blemiſh*
'*upon your Royal Perſon, but only to repreſent how*
'*your Royal Authority and Truſt have been abuſed*, to
'the great Prejudice and Danger of your Majeſty,
'and all your good Subjects. (1)

'And

REMARK (1.) *The Deſign of this* Declaration *or* Remonſtrance *was not to inform the King, as the* Commons *aſſured him, but purely to make their Apology, and exaſperate the People againſt the King. Firſt, the* Remonſtrance *was not directed to the King, and he is never*

1641. 'And because we have reason to believe that those 'malignant Parties whose Proceedings *evidently appear* 'to be mainly for the Advantage and Increase of Popery, 'are composed, set up and acted *by the subtle Practice* 'of the Jesuits, and other Engineers and Factors for Rome, 'to the great *Danger* of this Kingdom, and most grie- 'vous Affliction of your loyal Subjects, have so far 'prevailed, *as to corrupt divers of your Bishops* and others 'in prime Places of the Church (2), and also to 'bring *divers of these Instruments to be of your Privy-* 'Council (3), *and other Employments of Trust* near 'your Majesty, the Prince, and the rest of your 'Royal Children.

'And by this means have had such an *Operation* 'in your Council, and the most important Affairs 'and Proceedings of your GOVERNMENT, that a 'most dangerous Division, and chargeable *Prepa-* 'ration for War betwixt your Kingdom of *England* 'and *Scotland*, the *Encrease of Jealousies* betwixt your 'Majesty and your most obedient Subjects, the vio- 'lent Distraction and *Interruption of this Parliament*, 'the *Insurrection of the Papists in your Kingdom of* 'Ireland, and *bloody Massacre* of your People, have 'been not only endeavoured and attempted, but in 'a great Measure compassed and effected.

'*For*

never spoken of but in the Third Person. Secondly, the Commons *voted that the* Remonstrance *should be printed, before they had received any Answer from the King, and published it against his Will. So what they say at the Close of this Article is all a Flourish, without one word of Truth.*

REM. (2.) *The Commons pointed at* Laud *Archbishop of* Canterbury, Neil * *Bishop of* Winchester, Wren *Bishop of* Ely, Cosins *Dean of* Peterborough.

REM. (3.) *As* Windebank *Secretary of State, and some others.*

* *Neil* was translated from *Winchester* to *York* in 1631, in which Honour he died Three Days before the Long-Parliament was opened.

'*For preventing the final Accompliſhment whereof,* 1641.
'your *poor Subjects are inforced to engage their Perſons*
'*and Eſtates to the maintaining of a very expenceful and*
'*dangerous War*, notwithſtanding *they have already*,
'ſince the Beginning of this Parliament, undergone
'the Charge of 150000 *l. Sterling, or there abouts*,
'for the neceſſary Support of your Majeſty in theſe
'preſent and perilous Deſigns. And becauſe all our
'moſt faithful *Endeavours and Engagements will be in-*
'*effectual* for the Peace, Safety, and Preſervation of
'your Majeſty and your People, *if ſome preſent*, real
'and *effectual Courſe be not taken for ſuppreſſing this*
'*wicked and malignant Party.*

'We your Majeſty's moſt humble and obedient
'Subjects, do with all Faithfulneſs and Humility be-
'ſeech your Majeſty,

'1. That you would be graciouſly pleaſed to *con-*
'*cur with the humble Deſires of your People in a parlia-*
'*mentary Way* (4), for the preſerving the Peace and
'Safety of the Kingdom from the malignant Deſigns
'*of the Popiſh Party.*

'*For depriving the Biſhops of their Votes in Parlia-*
'*ment* (5.), *and abridging their immoderate Power uſur-*
'*ped over the Clergy, and other your good Subjects*,
'which they have perniciouſly abuſed, to the Hazard
'of Religion, and great Prejudice and Oppreſſion
'of the Laws of this Kingdom, and juſt Liberty of
'your People.

'For the taking away ſuch *Oppreſſions in Religion,*
'*Church-Government* and Diſcipline, as have *been*
'*brought in and fomented by them.*

'For

REM. (4.) *That is to ſay, by conſenting to the* Bills *which ſhould be preſented to him.*

REM. (5.) *The* Commons *were not ſatisfied with deſiring that the Biſhops, whom they ſuppoſed guilty of the Deſign to countenance* Popery, *ſhould be puniſhed; but they took occaſion from thence to inflict a Penalty on the whole Body of the Biſhops, by depriving them of the Privilege of ſitting in Parliament.*

1641. ‘ For *uniting all ſuch* your *loyal Subjects* together, as ‘ join in the ſame fundamental *Truths againſt the Papiſts*, by removing ſome Oppreſſions and unneceſſary ‘ *Ceremonies*, by which divers weak Conſciences have ‘ been ſcrupled, and ſeem to be divided from the ‘ reſt (6.), and for the due Execution of thoſe good ‘ *Laws* which have been made for ſecuring the Liberty of the Subjects.

‘ 2. That your Majeſty will likewiſe be pleaſed to ‘ *remove from your Council* all ſuch as *perſiſt to favour* ‘ *and promote any* of thoſe Preſſures and Corruptions ‘ wherewith your *People have been grieved*; and that ‘ for the future, your Majeſty will *vouchſafe to employ* ſuch Perſons in your great and publick Affairs, ‘ and to take ſuch to be near you in Places of Truſt, ‘ *as your Parliament may have cauſe to confide in*; that ‘ in your princely Goodneſs to your People you will ‘ *reject and refuſe all Mediation and Sollicitation to the* ‘ *contrary*, how powerful ſoever. (7)

‘ 3. That you will be pleaſed *to forbear to alienate* ‘ *any of the forfeited* and eſcheated *Lands in Ireland*, ‘ which ſhall accrew to your Crown *by Reaſon of this* ‘ *Rebellion*; that out of them the *Crown* may be the ‘ better ſupported, and ſome Satisfaction made to ‘ your Subjects of this Kingdom, for the great Expences they are like to undergo this War.

‘ *Which humble Deſires of ours being graciouſly fulfilled* ‘ by your Majeſty, we will by the Bleſſing and Favour of God, *moſt chearfully undergo the Hazard and* ‘ *Expences of this War*, and apply our ſelves to ſuch ‘ other *Courſes* and *Counſels*, as may *ſupport your Royal* ‘ *Eſtate with Honour* and Plenty at Home, with ‘ Power

REM. (6.) *The meaning of which was, in the Language of the* Commons *or of their Leaders, that he ſhould aboliſh the* Hierarchy *and* Book of Common-Prayer; *but they did not dare to ſpeak out yet, and therefore they couched their Thoughts in this Expreſſion,* by removing unneceſſary Ceremonies.

REM. (7.) *Meaning the Queen.*

'Power and Reputation Abroad, and by our loyal 1641.
'Affections, Obedience, and Service, lay a ſure
'and laſting Foundation of the Greatneſs and Proſ-
'perity of your Majeſty, and your Royal Poſterity
'to future Times.

A Remonſtrance of the State of the Kingdom preſented to the King from the Houſe *of* Commons, *the firſt of* December 1641.

'THE Commons in this preſent Parliament
'aſſembled, having with much Earneſtneſs and
'Faithfulneſs of Affection and Zeal to the Publick
'Good of this Kingdom, and his Majeſty's Honour
'and Service, for the ſpace of twelve Months, wreſt-
'led with great Dangers and Fears, the preſſing Mi-
'ſeries and Calamities, the various Diſtempers and
'Diſorders which had not only aſſaulted, but even
'overwhelmed and extinguiſhed the Liberty, Peace,
'and Proſperity of this Kingdom, the Comfort and
'Hopes of all his Majeſty's good Subjects, and ex-
'ceedingly weakened, and undermined the Foun-
'dation and Strength of his own Royal Throne,

'Do yet find an abounding Malignity and Oppo-
'ſition in thoſe Parties and Factions who have been
'the Cauſe of thoſe Evils, and do ſtill labour to caſt
'Aſperſions upon that which hath been done, and
'to raiſe many Difficulties for the Hinderance of
'that which remains yet undone, and to foment Jea-
'louſies betwixt the King and Parliament, that ſo
'they may deprive him and his People of the Fruit
'of his own gracious Intentions, and their humble
'Deſires of procuriug the publick Peace, Safety,
'and Happineſs of this Realm: For the preventing
'thoſe miſerable Effects which ſuch malicious Endea-

'vours

1641. ‘ vours may produce, we have thought good to de-
‘ clare: (1)

‘ The Root and Growth of these mischievous De-
‘ signs.

‘ The Maturity and Ripeness to which they have
‘ attained before the beginning of the Parliament.

‘ The effectual Means that have been used for the
‘ Extirpation of those dangerous Evils, and the
‘ Progress which hath therein been made by his Ma-
‘ jesty's Goodness, and the Wisdom of the Parlia-
‘ ment.

‘ The Ways of Obstruction and Opposition, by
‘ which that Progress hath been interrupted.

‘ The Courses to be taken for the removing those
‘ Obstacles, and for the accomplishing of our most
‘ dutiful and faithful Intentions and Endeavours of
‘ restoring and establishing the ancient Honour,
‘ Greatness and Security of this Crown, and Nation.

‘ The Root of this Mischief we find to be a ma-
‘ lignant and pernicious Design of subverting the
‘ fundamental Laws and Principles of Government,
‘ upon which the Religion and Justice of this King-
‘ dom are firmly established. The Actors and Pro-
‘ moters hereof have been,

‘ 1. The jesuited Papists, who hate the Laws, as
‘ they are Obstacles of that Change and Subversion
‘ of Religion which they so much longed for.

‘ 2. The Bishops, and the corrupt Part of the
‘ *Clergy*, who cherish Formality and Superstition, as
‘ the natural Effects, and more probable Supports
‘ of their own *Ecclesiastical* Tyranny and Usurpation.

‘ 3. Such Counsellors and Courtiers as for private
‘ Ends have engaged themselves to further the In-
‘ terests

REM. (1.) *This was all Flourish, and a Pretense made use of by the* Commons *to have an occasion to publish this* Remonstrance, *which was resolved upon in the very beginning of the Parliament, before any Body had thought of blaming their Conduct.*

'tereſts of ſome foreign Princes, or States, to the 1641.
'prejudice of his Majeſty and the State at Home.

'The common Principles by which they moulded 'and governed all their particular Counſels and Acti-'ons were theſe.

'Firſt, to maintain continual Differences and Diſ-'contents betwixt the King and his People, upon 'queſtions of Prerogative and Liberty, that ſo they 'might have the Advantage of ſiding with him, 'and under the Notion of Men addicted to his Ser-'vice, gain to themſelves and their Parties, the Pla-'ces of the greateſt Truſt and Power in the King-'dom. (2)

'A Second, to ſuppreſs the Purity and Power of 'Religion, and ſuch Perſons as were beſt affected to 'it, as being contrary to their own Ends, and the 'greateſt Impediment to that Change which they 'thought to introduce.

'A Third, to conjoin thoſe Parties of the King-'dom which were moſt propitious to their own 'Ends, and to divide thoſe who were moſt oppoſite, 'which conſiſted in many particular Obſervations.

'To cheriſh the *Arminian* Part in thoſe Points, 'wherein they agree with the *Papiſts* to multiply and 'enlarge the Difference between *Proteſtants*, and 'thoſe whom they call *Puritans*, to introduce and 'countenance ſuch Opinions and Ceremonies as are 'fitteſt for Accommodation with Popery, to increaſe 'and maintain Ignorance, Looſeneſs, and Prophane-'neſs in the People. That of thoſe three Parties, '*Papiſts*, and *Arminians* and *Libertines*, they might 'compoſe a Body fit to act ſuch Counſels and Re-'ſolutions as were moſt conducible to their own 'Ends.

'A

REM. (2.) *It is certain, this was the way Archbiſhop* Laud, *and the* Arminian *Party grew powerful at Court.*

1641. 'A Fourth, to disaffect the King to Parliaments 'by Slanders and false Imputations, and by putting 'him on other ways of Supply, which in shew and 'appearance were fuller of Advantage than the or-'dinary Course of Subsidies, though in Truth they 'brought more Loss than Gain both to the King 'and People, and have caused the great Distractions 'under which we both suffer.

'As in all compounded Bodies the Operations are 'qualified according to the predominant Element, 'so in this mixt Party, the jesuited Counsels being 'most active and prevailing, may easily be discover-'ed to have had the greatest Sway in all their Deter-'minations, and if they be not prevented, are likely 'to devour the rest, or to turn them into their own 'Nature.

'In the beginning of his Majesty's Reign, the 'Party begun to revive and flourish again, having 'been somewhat dampt by the Breach with *Spain* 'in the last Year of the Reign of King *James*, and 'by his Marriage with *France*; the Interests and 'Counsels of that State being not so contrary to the 'good of Religion, and the Prosperity of this King-'dom, as those of *Spain*; and the *Papists* of *Eng-'land* having been ever more addicted to *Spain* than '*France*, yet they still retained a Purpose and Re-'solution to weaken the Protestant Parties in all 'Parts, and even in *France*, whereby to make way 'for the Change of Religion, which they intended 'at Home.

'1. The first Effect and Evidence of their Reco-'very and Strength, was the Dissolution of the Par-'liament at *Oxford*, after there had been given two '*Subsidies* to his Majesty, and before they received 'Relief in any one *Grievance*, many other more mi-'serable Effects followed.

'2. The loss of the *Rochel* Fleet, by the help of 'our Shipping, set forth and delivered over to the '*French*, in Opposition to the Advice of Parlia-

'ment

'ment (3), which left that Town without Defence 1641.
'by Sea, and made way, not only to the loſs of that
'important Place, but likewiſe to the loſs of all the
'Strength and Security of the *Proteſtant* Religion in
'*France*.

'3. The diverting his Majeſty's Courſe of Wars
'from the *Weſt-Indies*, which was the moſt hopeful
'and facile way for this Kingdom to prevail againſt
'the *Spaniards*, to an expenceful and unſucceſsful At-
'tempt upon *Cales*, which was ordered as if it had
'rather been intended to make us weary of War,
'than to proſper in it (4).

'4. The precipitate Breach with *France*, by taking
'their Ships to a great Value, without making Re-
'compence to the *Engliſh*, whoſe Goods were there-
'upon imbarred, and confiſcate in that Kingdom.

'5. The [Peace with *Spain*, without Conſent of
'Parliament, contrary to the promiſe of King *James*
'to both Houſes, whereby the *Palatines* Cauſe was
'deſerted and left to chargeable and hopeleſs Trea-
'ties, which for the moſt part were managed by
'thoſe who might juſtly be ſuſpected to be no Friends
'to that Cauſe (5).

'The

REM. (3). *It cannot properly be ſaid that the ſeven Ships* Charles I. *lent the King of* France *were delivered to the* French, *in Oppoſition to the Advice of Parliament, ſince the Thing was done before the Parliament was acquainted with it. It is likewiſe aggravating Matters greatly, to impute the loſs of the* Rochel-*Fleet, and of* Rochel *it ſelf, to the Aid of the ſeven* Engliſh *Ships, when the Mariners of that Nation deſerted the ſaid Ships.*

REM. (4.) *This Accuſation ſeems to be a little too far-fetched, ſince* Elizabeth *had taken both Courſes with Succeſs.*

REM. (5.) *This Article contains three Accuſations againſt the King,* 1. *of making Peace with* Spain *without*

1641. ‘6. The charging of the Kingdom with billeted Soldiers in all Parts of it, and that concomitant Design of *German* Horſe, that the Land might either ſubmit with Fear, or be enforced with Rigour to ſuch Arbitrary Contributions as ſhould be required of them (6).

‘7. The diſſolving the Parliament in the ſecond Year of his Majeſty's Reign, after a Declaration of their intent to grant five Subſidies (7).

‘8. The exacting the like Proportion of five Subſidies after the Parliament was diſſolved, by Commiſſion of *Loan*; and divers Gentlemen and others impriſoned for not yielding to pay their *Loan*, whereby many of them contracted ſuch Sickneſſes as coſt them their Lives.

Conſent of Parliament; 2. *of neglecting in this Peace, the Intereſt of the Elector* Palatine. 3. *of treating of that Prince's Affairs by ſuſpected Perſons. As to the firſt, it is true, King* James *had promiſed not to make Peace with* Spain *without the Parliament's Approbation: But it was at a Time when the Parliament began to ſupply him with Money for the War, and promiſed to do ſo for the carrying it on. But the Face of Affairs was changed, when* Charles I. *made Peace. As to the ſecond Charge of neglecting the Cauſe of the Elector* Palatine, *it is properly a Cavil, for the King, having no Money to continue the War againſt* Spain, *was not in Condition to do any Thing to ſupport the Elector's Cauſe. All that can be ſaid, is, that he would have had Money from the Parliament, had he been willing to redreſs the Grievances. I am ignorant of the Foundation of the third Accuſation.*

REM. (6.) *Theſe two Accuſations are unanſwerable. There was but too much Reaſon to believe, that this was done on purpoſe to eſtabliſh an Arbitrary Government.*

REM. (7.) *This Parliament was diſſolved purely to ſave the Duke of* Buckingham.

‘9. Great

'9. Great Sums of Money required and raiſed by 1641
'Privy-Seal (8).

'10. An unjuſt and pernicious Attempt to extort 'great Payments from the Subject by way of *Exciſe*, 'and a Commiſſion iſſued under the *Great-Seal* for 'that purpoſe.

'11. The *Petition of Right* which was granted in 'full Parliament blaſted, with an illegal Declaration 'to make it deſtructive to it ſelf, to the Power of 'Parliament, to the Liberty of the Subject, and to 'that purpoſe printed with it, and the *Petition* made 'of no uſe but to ſhew the bold and preſumptuous 'Injuſtice of ſuch Miniſters as durſt break the Laws, 'and ſuppreſs the Liberties of the Kingdom, after 'they had been ſo ſolemnly and evidently declared.

'12. Another Parliament diſſolved 4. *Car.* the 'Privilege of Parliament broken, by impriſoning di-'vers Members of the *Houſe*, detaining them cloſe 'Priſoners for many Months together, without the 'Liberty of uſing Books, Pen, Ink, or Paper, de-'nying them all the Comforts of Life, all Means of 'Preſervation of Health, not permitting their Wives 'to come unto them, even in Time of their Sick-'neſs.

'13. And for the compleating that Cruelty, after 'many Years ſpent in ſuch miſerable Durance, de-'priving them of the neceſſary Means of Spiritual 'Conſolation, not ſuffering them to go abroad to 'enjoy God's Ordinances in God's Houſe; or God's 'Miniſters to come to them to miniſter Comfort 'to them in their private Chambers.

'14. And to keep them ſtill in this oppreſſed Con-'dition, not admitting them to be *bailed* according to 'Law, yet vexing them with Informations in inferior 'Courts, ſentencing and fineing ſome of them for

REM. (8). *Theſe Articles were notoriouſly true. There is no excuſing them, but by aſſerting that the King had a right to do whatever he did. But this is a great Queſtion.*

1641. ‘ Matters done in Parliament; and extorting the ‘ Payments of thoſe *Fines* from them, enforcing o- ‘ thers to put in Security of good Behaviour before ‘ they could be releaſed.

‘ 15. The Impriſonment of the reſt, which refuſed ‘ to be bound, ſtill continued, which might have ‘ been perpetual, if Neceſſity had not laſt Year ‘ brought another Parliament to relieve them, of * Sir *John Elliot.* ‘ whom one * died, by the Cruelty and Harſhneſs ‘ of his Impriſonment, which would admit of no ‘ Relaxation, notwithſtanding the eminent Danger ‘ of his Life did ſufficiently appear by the Declara- ‘ tion of his Phyſician. And his Releaſe, or at leaſt ‘ his Refreſhment, was ſought by many humble Peti- ‘ tions. And his Blood ſtill cries out either for Ven- ‘ gance or Repentance, of thoſe Miniſters of State ‘ who have at once obſtructed the Courſe both of ‘ his Majeſty's Juſtice and Mercy. (9)

‘ 16. Upon the Diſſolution of both theſe Parlia- ‘ ments, untrue and ſcandalous Declarations were ‘ publiſhed to aſperſe their Proceedings, and ſome ‘ of their Members unjuſtly; to make them odious, ‘ and colour the Violence which was uſed againſt ‘ them (10). Proclamations ſet out to the ſame Pur- ‘ poſe; and to the great dejecting the Hearts of the ‘ People, forbidding them even to ſpeak of Parlia- ‘ ments.

REM. (9.) *The Rigour exerciſed upon theſe Members of Parliament, is one of the ſtrongeſt Proofs of the Deſign to eſtabliſh Arbitrary Power. And therefore the* Commons *largely inſiſt upon this Article.*

REM. (10.) *If by theſe* Declarations *are meant, thoſe which were publiſhed to make known the Cauſes of the Diſſolution of theſe Parliaments, it may be ſaid, that the* Commons *are much wanting in the Reſpect due to the King, by terming them* untrue *and* ſcandalous, *ſince they were publiſhed in his Name.*

‘ 17. After

'17. After the Breach of the Parliament in the 1641.
'fourth of his Majeſty, Injuſtice, Oppreſſion and
'Violence, broke in upon us, without any Reſtraint
'or Moderation, and yet the firſt Project was the
'great Sums exacted through the whole Kingdom,
'for default of *Knighthood*, which ſeemed to have
'ſome Colour of a Law, yet if it be rightly exa-
'mined by that obſolete Law which was pretended
'for it, it will be found to be againſt all the Rules
'of Juſtice, both in reſpect of the Perſons charged,
'the Proportion of the *Fines* demanded, and the ab-
'ſurd and unreaſonable manner of their Proceedings.

'18. *Tonnage* and *Poundage*, hath been received
'without Colour or Pretence of Law: Many other
'heavy Impoſitions continued againſt Law; and
'ſome ſo unreaſonable, that the Sum of the Charge
'exceeds the value of the Goods.

'19. The Book of Rates lately inhanced to a high
'Portion; and ſuch Merchants that would not ſub-
'mit to their illegal and unreaſonable Payments,
'were vexed and oppreſſed above Meaſure, and the
'ordinary Courſe of Juſtice, the common Birth-right
'of the Subjects of *England* wholly obſtructed and
'taken from them.

'20. And although this was taken on Pretence of
'guarding the Seas, yet a new and unheard-of Tax
'of *Ship-Money* was deviſed, and upon the ſame Pre-
'tenſe. By both which there were charged upon the
'Subject near 700000 *l.* ſome Years, and yet the
'Merchants have been left ſo naked to the *Turkiſh*
'Pyrates; that many great Ships of Value, and
'Thouſands of his Majeſty's Subjects have been taken
'by them, and do ſtill remain in miſerable Slavery.

'21. The Enlargements of Foreſts, contrary to
'*Charta de Foreſta*, and the Compoſition thereupon.

'22. The Exactions of *Coat* and *Conduct*-Money,
'and divers other Military Charges. (11)

REM. (11.) *The King being ingaged in a War againſt*

 '23. The

1641. ‘ 23. The taking away the Arms of Train'd-bands ‘ of divers Counties. (12)

‘ 24. The desperate Design of engrossing all the ‘ Gun-powder into one Hand, keeping it in the ‘ *Tower* of *London*, and setting so high a rate upon ‘ it, that the poorer sort were not able to buy it; ‘ nor could any have it without Licence; thereby ‘ to leave several parts of the Kingdom destitute of ‘ their necessary Defence; and by selling so dear that ‘ which was sold, to make an unlawful Advantage ‘ of it, to the great Charge and Detriment of the ‘ Subject.

‘ 25. The general Destruction of the King's Tim- ‘ ber, especially in the Forest of *Dean*, sold to Pa- ‘ pists, which was the best Store-House of this King- ‘ dom for the Maintenance of our Shipping. (13)

gainst Scotland, *ordered that every County should find a certain Number of Soldiers, and cloath and pay them, till they came to the Place of the general Rendezvous, on Condition of being repaid another Time. On this Pretense it was agreed with the Counties, that they should supply the King with a certain Sum proportionable to the Number of Soldiers each County was to cloath and pay, for which the King took the whole Charge upon himself. This is what was called* Coat and Conduct-Money, *that is to say, Money for cloathing and conducting the Troops. But this Money was never restored.*

REM. (12.) *The King intending to make a Magazine of Arms in the Castle of* Edinburgh, *found no speedier way than to take in some Counties the Arms of the Militia and send them to* Scotland. *But it was pretended, that at the same time, his Design was to disarm under that Pretense, such Persons as were not well-affected to him. And this also is what the* Remonstrance *insinuates in the following Article concerning* Powder.

REM. (13.) *These Points are perhaps a little aggravated, at least in respect to the Motives and Consequences.*

'26. The taking away of Mens Right under 1641.
'Colour of the King's Title to Land, between high
'and low Water-Mark.

'27. The Monopolies of Soap, Salt, Wine, and
'Leather, Sea-Coal, and in a manner all Things of
'moſt common and neceſſary uſe.

'28. The Reſtraint of the Liberties of the Sub-
'jects in their Habitations, Trades, and other In-
'tereſts.

'29. Their Vexation and Oppreſſion by Purvey-
'ors, Clerks of the Market, and Salt-peter Men

'30. The Sale of pretended Nuſances, as Build-
'ings in and about *London*.

'31. Converſion of Arable into Paſture, Conti-
'nuance of Paſture, under the Name of Depopula-
'tion, have driven many Millions out of the Sub-
'jects Purſes, without any conſiderable Profit to his
'Majeſty. (14)

'32. Large Quantities of Common and ſeveral
'Grounds hath been taken from the Subject, by
'Colour of the Statute of Improvement, and by
'abuſe of the Commiſſion of *Sewers*, without their
'Conſent and againſt it. (15)

REM. (14.) *The Woollen Trade being the main Source of the Riches of* England, *the Subjects were enjoined by ſeveral* Statutes, *not to change Paſture into Arable Land, for fear of leſſening the Flocks, and conſequently the Wool. In King* Charles's *Reign the Offenders againſt theſe* Statutes *were ſtrictly inquired after, not with a view to hinder the Abuſes, but to authorize them for a Compoſition with the King.*

REM. (15.) Commiſſioners of Sewers *are ſuch as by Authority under the* Great-Seal, *ſee Drains and Ditches well kept and maintained in marſhy and fenny Countries, for the better Conveyance of the Water into the Sea, and preſerving Graſs upon the Land for the Feeding of Flocks and Herds. The* Commons *complain that ill-uſe was made of this Commiſſion.*

1641. ‘ 33. And not only private Intereſt, but alſo publick Faith hath been broken, in ſeizing of the Money and Bullion in the Mint, and the whole Kingdom like to be robbed at once, in that abominable Project of braſs Money. (16)

‘ 34. Great Numbers of his Majeſty's Subjects, for refuſing thoſe unlawful Charges, have been vexed with long and expenſive Suits, ſome fined and cenſured, others committed to long and hard Impriſonments and Confinements, to the loſs of Health in many, and Life in ſome, and others have had their Houſes broken up, their Goods ſeized, ſome have been reſtrained from their lawful Callings.

‘ 35. Ships have been interrupted in their Voyages, ſurpriſed at Sea in hoſtile Manner by Projectors, as by a common Enemy.

‘ 36. Merchants prohibited to unlade their Goods in ſuch Ports as were for their own Advantage, and forced to bring them to thoſe Places which were much for the Advantage of thoſe *Monopolizers* and *Projectors*.

‘ 37. The Court of *Star-Chamber* hath abounded in extravagant Cenſures, not only for the Maintenance and Improvement of *Monopolies*, and other unlawful Taxes, but for divers other Cauſes, where there hath been no Offence, or very ſmall; whereby his Majeſty's Subjects have been oppreſſed by grievous Fines, Impriſonments, Stigmatiſing, Mutilations, Whippings, Pillories, Gags, Confinements, Baniſhments; after ſo rigid a Manner, as hath not only deprived Men of the Society of their Friends, Exerciſe of their Profeſſions, Comfort of Books, uſe of Paper and Ink, but even violated that near Union which God hath eſtabliſhed betwixt Men and their Wives, by forced and conſtrained Separation, whereby they have been

REM. (16.) *The King took but forty Thouſand Pound out of the Mint, which Sum was afterwards repaid to the Proprietors.*

‘ bereaved

'bereaved of the Comfort and Converſation one of 1641.
'another for many Years together, without hope of
'Relief, if God had not by his over-ruling Provi-
'dence given ſome Interruption to the prevailing
'Power and Counſel of thoſe who were the Authors
'and Promoters of ſuch peremptory and heady
'Courſes (17.)

'38. Judges have been put out of their Places
'for refuſing to do againſt their Oaths and Conſci-
'ences: Others have been ſo awed that they durſt
'not do their Duties, and the better to hold a Rod
'over them, the Clauſe, *Quam diu ſe bene geſſerit*,
'was left out of their Patents, and a new Clauſe,
'*Durante bene placito*, inſerted.

'39. Lawyers have been checked for being faith-
'ful to their Clients: Sollicitors and Attorneys have
'been threatned, and ſome puniſhed for following
'lawful Suits. And by this means all the Approaches
'to Juſtice were interrupted and forecluded.

'40. New Oaths have been forced upon the Sub-
'ject againſt Law.

'41. New Judicatories erected without Law. The
'Council-Table have by their Orders offered to bind
'the Subjects in their Freeholds, Eſtates, Suits and
'Actions.

'42. The pretended Court of the *Earl Marſhal*
'was arbitrary and illegal in its Being and Pro-
'ceedings.

'43. The *Chancery*, *Exchequer-Chamber*, Court of
'*Wards*, and other *Engliſh* Courts, have been grie-
'vous in exceeding their Juriſdiction.

"44. The Eſtate of many Families weakened,
'and ſome ruined by exceſſive *Fines*, exacted from
'them for Compoſition of *Wardſhips*.

'45. All Leaſes of above 100 Years made to
'draw on *Wardſhip* contrary to Law.

REM. (17.) *This whole Article relates to the rigo-
rous Treatment againſt* Pryn, Baſtwick *and* Burton, *by the* Star-Chamber.

'46. Undue

1641. ‘ 46. Undue Proceedings uſed in the finding of ‘ Offices, to make the *Jury* find for the King.

‘ 47. The *Common-Law Courts*, ſeeing all Men ‘ more inclined to ſeek Juſtice there, where it may ‘ be fitted to their own Deſires, are known frequently ‘ to forſake the Rules of the *Common-Law*, and ſtray- ‘ ing beyond their Bounds, under the pretence of E- ‘ quity, to do Injuſtice. (18.)

‘ 48. Titles of Honour, judicial Places, Serjeant- ‘ ſhips at Law, and other Offices have been ſold for ‘ great Sums of Money; whereby the Common Juſ- ‘ tice of the Kingdom hath been much endangered, ‘ not only by opening a way of Employment, in ‘ Places of great Truſt and Advantage to Men of ‘ weak Parts; but alſo by giving occaſion to Bribe- ‘ ry, Extortion, Partiality; it ſeldom happening ‘ that Places ill-gotten are well uſed (19.)

REM. (18.) *The Laws of* England *are divided into* Common-Law, *and* Statute-Law; *the firſt is built on ancient Cuſtom*, &c. *and the other on Acts of Parliament: From theſe Laws the Judges are not allowed to ſwerve either to the Right or Left* *. *The Court of* Chancery *only may in ſome Caſes judge according to Equity. Now the King's Courts in taking upon them to judge according to Equity, and not according to ſtrict Law, had gone beyond their Juriſdiction, in order to favour the Court.*

REM. (19.) *A* Serjeant at Law [*or of* the Coif,] Serviens ad legem, *is the higheſt Degree taken in that Profeſſion, as that of* Doctor *is in the* Civil-Law. *One Court is ſet a-part for them to plead in by themſelves, namely, the Court of* Common-Pleas, *though they are not reſtrained from pleading in any other Court. Out of theſe*

* The Author in this Remark has confounded in the Original the *Common* and *Statute* Law, making them to be the ſame.

‘ 49. Com-

1641.

'49. Commiſſions have been granted for examining the Exceſs of *Fees*: And when great Exactions have been diſcovered, Compoſitions have been made with *Delinquents*, not only for the Time paſt, but likewiſe for Immunity, and Security in offending for the Time to come, which under the Colour of Remedy, hath but confirmed and encreaſed the *Grievance* to the Subject.

'50. The uſual Courſe of pricking *Sheriffs*, not obſerved, but many times *Sheriffs* made an extraordinary way, ſometimes as a Puniſhment and a Charge unto them (20), ſometimes ſuch were pricked out as would be Inſtruments to execute whatſoever they would have to be done.

'51. The Biſhops and the reſt of the *Clergy*, did triumph in the Suſpenſions, Excommunications, Deprivations, and Degradations of divers painful, learned, and pious Miniſters, in the Vexation and grievous Oppreſſions of great Numbers of his Majeſty's good Subjects.

'52. The *High-Commiſſion* grew to ſuch Exceſs of Sharpneſs and Severity as was not much leſs than the *Romiſh Inquiſition*, and yet in many Caſes by the Archbiſhop's Power, was made much more heavy, being aſſiſted and ſtrengthned by Authority of the Council-Table.

'53. The Biſhops and their Courts were as eager in the Country; although their Juriſdictions could not reach ſo high in Rigour and Extremity of Puniſhment; yet were they no leſs grievous in re-

theſe are choſen one or more King's Serjeants, *to plead for him in all Cauſes, eſpecially in thoſe of Treaſon* *.

REM. (20.) *To hinder them from being choſen to ſerve in Parliament, as Sir* Edward Coke, [*Sir* Robert Philips, *and Sir* Thomas Wentworth.]

* The Author has committed likewiſe ſome Miſtakes in this Remark, which are corrected in the Tranſlation.

'ſpect

1641. 'ſpect of the generality and multiplicity of Vexati-
'ons, which lighting upon the meaner ſort of Tradeſ-
'men and Artificers, did impoveriſh many Thou-
'ſands;

'54. And ſo afflict and trouble others, that great
'Numbers, to avoid their Miſeries, departed out of
'this Kingdom, ſome into *New-England*, and other
'Parts of *America*, others into *Holland*:

'55. Where they have tranſported their Manu-
'factures of Cloath, which is not only a Loſs by
'diminiſhing the preſent Stock of the Kingdom, but
'a great Miſchief by impairing and endangering
'the Loſs of that peculiar Trade of clothing, which
'hath been a plentiful Fountain of Wealth and Ho-
'nour to this Nation.

'56. Thoſe were fitteſt for *Eccleſiaſtical* Prefer-
'ments, and ſooneſt obtained it, who were moſt of-
'ficious in promoting *Superſtition*, moſt virulant in
'railing againſt *Godlineſs* and *Honeſty*. (21.)

'57. The moſt publick and ſolemn Sermons be-
'fore his Majeſty were, either to advance Prerога-
'tive above Law, and decry the Property of the
'Subject, or full of ſuch kind of Invectives.

'58. Whereby they might make thoſe odious
'who ſought to maintain the Religion, Laws and
'Liberties of the Kingdom, and ſuch Men were
'ſure to be weeded out of the Commiſſion of the
'Peace, and out of other Employments of Power
'in the Government of the Country.

'59. Many noble Perſons were Counſellors in
'Name, but the Power and Authority remained in a
'few of ſuch as were moſt addicted to this Party:
'Whoſe Reſolutions and Determinations were
'brought to the *Table* for Countenance and Execu-
'tion, and not for Debate and Deliberation, and no
'Man could offer to oppoſe them without Diſgrace
'and Hazard to himſelf.

REM. (21.) *By theſe are to be underſtood ſuch as were moſt incenſed againſt* Presbyterianiſm.

'60. Nay

'60. Nay all thoſe that did not wholly concur, 1641.
'and actively contribute to the furtherance of their
'Deſigns, though otherwiſe Perſons of never ſo
'great Honour and Abilities, were ſo far from be-
'ing employed in any Place of Truſt and Power,
'that they were neglected, diſcountenanced, and up-
'on all Occaſions injured and oppreſſed.

'61. This Faction was grown to that height and
'entireneſs of Power, that now they began to think
'of finiſhing of their Work, which conſiſted of theſe
'Three Parts.

'62. I. The Government muſt be ſet free from
'all Reſtraint of Laws concerning our Perſons and
'Eſtates.

'63. II. There muſt be a Conjunction betwixt
'*Papiſts* and *Proteſtants* in Doctrine, and Diſcipline,
'and Ceremonies, only it muſt not be called *Popery*.

'64. III. The *Puritans*, under which Name they
'include all thoſe that deſire to preſerve the Laws
'and Liberties of the Kingdom, and to maintain
'Religion in the Power of it, muſt be either rooted
'out of the Kingdom with force, or driven out with
'fear.

'65. For the effecting of this, it was thought ne-
'ceſſary to reduce *Scotland* to ſuch *Popiſh* Superſti-
'tions and Innovations, as might make them apt to
'join with *England* in that great Change which was
'intended.

'66. Whereupon new *Canons* and new *Liturgy*
'were preſt upon them; and when they refuſed to
'admit of them, an Army was raiſed to force them
'to it, towards which the *Clergy* and the *Papiſts* were
'very forward in their Contribution.

'67. The *Scots* likewiſe raiſed an Army for their
'Defence.

'68. And when both Armies were come together,
'and ready for a bloody Encounter, his Majeſty's
'own gracious Diſpoſition, and the Counſel of the
'*Engliſh*

1641 'English Nobility, and dutiful Submission of the 'Scots, did so far prevail against the evil Counsel of 'others, that a *Pacification* was made, and his Ma-'jesty returned with Peace and much Honour to 'London.

'69. The unexpected Reconciliation was most 'acceptable to all the Kingdom except the malig-'nant Party; whereof the Archbishop and the Earl 'of *Strafford* being Heads, they and their Faction 'began to inveigh against the Peace, and to aggra-'vate the Proceedings of the States, which so in-'censed his Majesty, that he forthwith prepared a-'gain for War.

'70. And such was their Confidence, that having 'corrupted and distempered the whole Frame and 'Government of the Kingdom, they did now hope 'to corrupt that which was the only Means to restore 'all to a right Frame and Temper again.

'71. To which end they persuaded his Majesty to 'call a Parliament, not to seek Counsel and Advice 'of them, but to draw Countenance and Supply 'from them, and to engage the whole Kingdom in 'their Quarrel.

'72. And in the mean time, continued all their 'unjust Levies of Money, resolving either to make 'the Parliament pliant to their Will, and to esta-'blish Mischief by a Law, or else to break it, and 'with more colour to go on by Violence, or take 'what they could not obtain by Consent; the Ground 'they alledged for the Justification of this War was 'this:

'73. That the undutiful Demands of the Parlia-'ments in *Scotland* was a sufficient Reason for his Ma-'jesty to take Arms against them, without hearing 'the Reason of those Demands, and thereupon a 'new Army was prepared against them; their Ships 'were seized in all Ports both of *England* and *Ireland*, 'and at Sea their *Petitions* rejected, their Commissio-'ners refused Audience.

74. This

'74. This whole Kingdom moſt miſerably diſtem- 1641.
'pered with Levies of Men and Money; and Im-
'priſonments of thoſe who denied to ſubmit to thoſe
'Levies.

'75. The Earl of *Strafford* paſs'd into *Ireland*, cauſed
'the Parliament there to declare againſt the *Scots*, to
'give Four Subſides towards that War; and to en-
'gage themſelves, their Lives and Fortunes for the
'Proſecution of it; and gave Direction for an Ar-
'my of Eight Thouſand Foot, and One Thouſand
'Horſe, to be levied there, which were for the moſt
'part *Papiſts*.

'76. The Parliament met upon the 13th of *April*
'1640. The Earl of *Strafford*, and Archbiſhop of
'*Canterbury*, with their Party, ſo prevailed with his
'Majeſty, that the Houſe of *Commons* was preſſed to
'yield a Supply for Maintenance of the War with
'*Scotland*, before they had provided any Relief for
'the great and preſſing Grievances of the People;
'which being againſt the fundamental Privilege and
'Proceedings of Parliament, was yet in humble
'Reſpect to his Majeſty ſo far admitted, as that they
'agreed to take the Matter of Supply into Conſide-
'ration, and two ſeveral Days it was debated.

'77. Twelve Subſidies were demanded for the
'Releaſe of *Ship-Money* alone: A Third Day was
'appointed for Concluſion, when the Heads of that
'Party began to fear the People might cloſe with the
'King, in ſatisfying his Deſires of Money: But that
'withal they were like to blaſt their malicious De-
'ſigns againſt *Scotland*, finding them very much in-
'diſpoſed to give any Countenance to that War.

'78. Thereupon they wickedly adviſed the King
'to break off the Parliament, and to return to the
'Ways of Confuſion, in which their own evil Inten-
'tions were moſt like to proſper and ſucceed. (22.)

'79. After

REM. (22.) *The Lord* Clarendon, *who was then in the Houſe of* Commons, *affirms that the Houſe was very well*

1641. ‘ 79. After the Parliament ended, the 5th of *May* ‘ 1640, this Party grew ſo bold, as to counſel the ‘ King to ſupply himſelf out of his Subjects Eſtates, ‘ by his own Power, at his own Will, without their ‘ Conſent.

‘ 80. The very next Day, ſome Members of both ‘ Houſes had their Studies and Cabinets, yea their ‘ very Pockets ſearched: Another of them not long ‘ after was committed cloſe Priſoner, for not delive- ‘ ring ſome *Petitions* which he received by Authority ‘ of that *Houſe*.

‘ 81. And if harſher Courſes were intended (as ‘ was reported) it is very probable that the Sickneſs ‘ of the Earl of *Strafford*, and the tumultuous riſing ‘ in *Southwark* and about *Lambeth*, were the Cauſes ‘ that ſuch violent Intentions were not put in Execu- ‘ tion.

‘ 82. A falſe and ſcandalous Declaration againſt ‘ the Houſe of *Commons* was publiſhed in his Ma- ‘ jeſty's Name, which yet wrought little Effect with ‘ the People, but only to manifeſt the Impudence of ‘ thoſe who were the Authors of it.

‘ 83. A forced Loan of Money was attempted in ‘ the City of *London*.

‘ 84. The Lord-Mayor and Aldermen in their ‘ ſeveral *Wards*, enjoyned to bring in a Liſt of the ‘ Names of ſuch Perſons as they judged fit to lend, ‘ and of the Sum they ſhould lend, and ſuch Alder- ‘ men as refuſed ſo to do were committed to Priſon.

‘ 85. The Archbiſhop, and the other Biſhops and ‘ Clergy continued the *Convocation*, and by a new ‘ Commiſſion turned it into a Provincial Synod, in ‘ which, by an unheard of Preſumption, they made ‘ *Canons* that contain in them many Matters, contrary

well inclined to ſatisfy the King, if he would have had a little Patience, and that he repented afterwards of his Haſte. This confirms what is ſaid here, that the Parliament was diſſolved, for ſome private Ends of thoſe who had the greateſt Sway in the King's Council.

‘ to

'to the King's Prerogative, to the fundamental 1641.
'Laws and *Statutes* of the Realm; to the Right of
'Parliaments; to the Property and Liberty of the
'Subject, and Matters tending to Sedition, and of
'dangerous Conſequence; thereby eſtabliſhing their
'own Uſurpations, juſtifying their *Altar-worſhip*,
'and thoſe other ſuperſtitious Innovations, which
'they formerly introduced without Warrant of Law.

'86. They impoſed a new Oath upon divers of
'his Majeſty's Subjects both *Eccleſiaſtical* and *Lay*,
'for Maintenance of their own Tyranny, and laid a
'great Tax upon the *Clergy* for Supply of his Ma-
'jeſty, and generally they ſhewed themſelves very
'affectionate to the War with *Scotland*, which was
'by ſome of them ſtiled *Bellum Epiſcopale*, and a
'Prayer compoſed, and enjoined to be read in
'Churches, calling the *Scots* Rebels, to put the two
'Nations in Blood, and make them irreconcileable.

'87. All thoſe pretended *Canons* and *Conſtitutions*
'were armed with the ſeveral Cenſures of Suſpenſion,
'Excommunication, Deprivation, by which they
'would have thruſt out all the good Miniſters, and
'moſt of the well affected People of the Kingdom,
'and left an eaſy Paſſage to their own Deſign of Re-
'conciliation with *Rome*. (23.)

'88. The *Popiſh* Party enjoyed ſuch Exemptions
'from *Penal* Laws, as amounted to a *Toleration*, be-
'ſides many other Encouragements and Court Fa-
'vours.

REM. (23.) *The* Commons *carry Matters too far without doubt, when they impute to the whole* Convocation *of* 1640 *the Deſign of reſtoring* Popery. *This is not at all likely, ſuppoſing it were true, that ſome of the Biſhops had formed ſuch a Project, which was never well proved.* *

* It is obſervable, that this very *Convocation* cenſured *Goodman* Biſhop of *Glouceſter* for favouring *Popery*.

1641. ‘89. They had a Secretary of State, Sir *Francis Windebank*, a powerful Agent for speeding all their ‘Desires.

‘90. A Pope's Nuncio residing here, to act and ‘govern them according to such Influences as he re‘ceived from *Rome*, and to intercede for them with ‘the most powerful Concurrence of the foreign ‘Princes of that Religion.

‘91. By his Authority the *Papists* of all sorts, ‘Nobility, Gentry, and Clergy were convocated af‘ter the manner of a Parliament.

‘92. New Jurisdictions were erected of *Romish* ‘Archbishops, Taxes levied, another State moulded ‘within this State independent in Government, con‘trary in Interest and Affection, secretly corrupting ‘the ignorant or negligent Professors of our Reli‘gion, and closely uniting and combining themselves ‘against such as were found in this Posture, waiting ‘for an Opportunity by force to destroy those whom ‘they could not hope to seduce.

‘93. For the effecting whereof, they were strength‘ned with Arms and Munition, encouraged by su‘perstitious Prayers, enjoined by the Nuncio, to be ‘weekly made for the Prosperity of some great ‘Design.

‘94. And such Power had they at Court, that se‘cretly a Commission was issued out, or intended to ‘be issued to some great Man of that Profession, ‘for the levying of Soldiers, and to command and ‘employ them according to private Instructions, ‘which we doubt were framed for the Advantage of ‘those who were the Contrivers of them.

‘95. His Majesty's Treasure was consumed, his ‘Revenue anticipated.

‘96. His Servants and Officers compelled to lend ‘great Sums of Money.

‘97. Multitudes were called to the Council-Ta‘ble, who were tired with long Attendances there for ‘refusing illegal Payments.

‘98. The

'98. The Priſons were filled with their Commit- 1641.
'ments: Many of the *Sheriffs* ſummoned into the
'*Star-Chamber*; and ſome impriſoned for not being
'quick enough in levying the *Ship-Money*, the Peo-
'ple languiſhed under Grief and Fear, no viſible
'Hope being left but in Deſperation.

'99. The Nobility began to be weary of their
'Silence and Patience, and ſenſible of the Duty
'and Truſt which belongs to them; and thereupon
'ſome of the moſt antient of them did petition his
'Majeſty at ſuch a Time, when evil Counſellors were
'ſo ſtrong, that they had occaſion to expect more
'hazard to themſelves, than redreſs of thoſe publick
'Evils for which they interceeded.

'100. Whilſt the Kingdom was in this Agitation
'and Diſtemper, the *Scots* reſtrained in their Trades,
'impoveriſhed by the Loſs of many of their Ships,
'bereaved of all Poſſibility of ſatisfying his Majeſty
'by any naked Supplications, entered with a power-
'ful Army into the Kingdom, and without any
'hoſtile Act or Spoil in the Country they paſſed,
'more than forcing a Paſſage over the *Tyne* at *New-*
'*burne* near *Newcaſtle*, poſſeſſed themſelves of *New-*
'*caſtle*; and had a fair Opportunity to preſs on fur-
'ther upon the King's Army.

'101. But Duty and Reverence to his Majeſty,
'and brotherly Love to the *Engliſh* Nation, made
'them ſtay there, whereby the King had leiſure to
'entertain better Counſels.

'102. Wherein God ſo bleſſed and directed him,
'that he ſummoned the great Council of Peers to
'meet at *York* upon the 24th of *September*, and there
'declared a Parliament, to begin the 3d of *Novem-*
'*ber* then following.

'103. The *Scots* the firſt Day of the Great Council
'preſented an humble *Petition* to his Majeſty, where-
'upon the Treaty was appointed at *Rippon*.

'104. A preſent Ceſſation of Arms agreed up-
'on, and the full Concluſion of all Differences

1641. ‘ referred to the Wisdom and Care of the Parliament. (24.)

‘ 105. At our first Meeting, all Oppositions seemed to vanish, the Mischiefs were so evident, which ‘ those evil Counsellors produced, that no Man durst ‘ stand up to defend them, yet the Work itself afforded Difficulty enough.

‘ 106. The multiplied Evils and Corruptions of ‘ Sixteen Years, strengthned by Custom and Authority, and the concurrent Interest of many powerful ‘ *Delinquents*, were now to be brought to Judgment ‘ and Reformation.

‘ 107. The King's Houshold was to be provided ‘ for; they had brought him to that Want, that he ‘ could not supply his ordinary and necessary Expences without the Assistance of his People.

‘ 108. Two Armies were to be paid, which amounted very near to Eighty Thousand Pounds a ‘ Month.

‘ 109. The People were to be tenderly charged, ‘ having been formerly exhausted with many burthensome Projects.

‘ 110. The Difficulties seemed to be insuperable, ‘ which by the Divine Providence we have overcome: ‘ The Contrarieties incompatible, which yet in a ‘ great measure we have reconciled.

‘ 111. Six Subsidies have been granted, and a *Bill* ‘ of *Poll-Money*, which if it be duly levied, may ‘ equal Six Subsidies more, in all Six Hundred Thousand Pounds.

REM. (24.) *The* Commons *take for granted, that as the* Scots *had petitioned the King to redress their* Grievances *with the Advice of the Parliament of* England, *and as on that occasion the King had called a Parliament, this was a tacit Consent of the two Parties to leave Things to the Parliament of* England. *But this is only a Supposition; for there was no Agreement to refer Matters to the Parliament.*

‘ 112. Besides,

'112. Beſides we have contracted a Debt to the 1641.
'*Scots* of Two Hundred and Twenty Thouſand
'Pounds; yet God hath bleſſed the Endeavours of
'this Parliament, that the Kingdom is a great Gainer
'by all theſe Charges.

'113. The *Ship-Money* is aboliſhed, which coſt
'the Kingdom above Two Hundred Thouſand
'Pounds a Year.

'114. The *Coat* and *Conduct*-Money, and other
'military Charges are taken away, which in many
'Counties amounted to little leſs than the *Ship-*
'*Money*.

'115. The *Monopolies* are all ſuppreſt, whereof
'ſome few did prejudice the Subject above a Million
'yearly.

'116. The Soap an Hundred Thouſand Pounds.

'117. The Wine Three Hundred Thouſand
'Pounds.

'118. The Leather muſt needs exceed both, and
'Salt could be no leſs than that.

'119. Beſides the inferior *Monopolies*, which if
'they could be exactly computed, would make up a
'great Sum.

'120. That which is more beneficial than all this
'is, that the Root of theſe Evils is taken away,
'which was the Arbitrary Power pretended to be in
'his Majeſty, of taxing the Subject, or charging
'their Eſtates without Conſent in Parliament, which
'is now declared to be againſt Law by the Judgment
'of both *Houſes*, and likewiſe by an *Act* of Parlia-
'ment.

'121. Another Step of great Advantage is this,
'the living Grievances, the evil Counſellors and
'Actors of theſe Miſchiefs have been ſo quelled,

'122. By the Juſtice done upon the Earl of *Straf-*
'*ford*, the Flight of the Lord *Finch* and Secretary
'*Windebank*,

'123. The Accuſation and Impriſonment of the
'Archbiſhop of *Canterbury*, of Judge *Bartlet*;
'And,

1641. ‘ 124. The Impeachment of divers other Biſhops ‘ and Judges, that it is like not only to be an eaſe ‘ to the preſent Times, but a Preſervation to the fu- ‘ ture.

‘ 125. The Diſcontinuance of Parliaments is pre- ‘ vented by the *Bill* for a *Triennial* Parliament, and ‘ the abrupt Diſſolution of this Parliament by ano- ‘ ther *Bill*, by which it is provided, that it ſhall not ‘ be diſſolved or adjourned without the Conſent of ‘ both *Houſes*.

‘ 126. Which two Laws well conſidered, may be ‘ thought more advantageous than all the former, ‘ becauſe they ſecure a full Operation of the preſent ‘ Remedy, and afford a perpetual Spring of Reme- ‘ dies for the future.

‘ 127. The *Star-Chamber*.

‘ 128. The *High-Commiſſion*.

‘ 129. The Courts of the Preſident and Council ‘ in the *North* were ſo many Forges of Miſery, and ‘ Oppreſſion, and Violence, and are all taken away, ‘ whereby Men are more ſecured in their Perſons, ‘ Liberties and Eſtates, than they could by any Law ‘ or Example, for the Regulation of thoſe Courts of ‘ Terror of the Judges.

‘ 130. The immoderate Power of the Council- ‘ Table, and the exceſſive Abuſe of that Power is ſo ‘ ordered and reſtrained, that we may well hope that ‘ no ſuch things as were frequently done by them, ‘ to the Prejudice of the publick Liberty, will ap- ‘ pear in future Times but only in Stories, to give ‘ us and our Poſterity more occaſion to praiſe God ‘ for his Majeſty's Goodneſs, and the faithful Endea- ‘ vours of this Parliament.

‘ 131. The *Canons* and power of *Canon-making* are ‘ blaſted by the *Votes* of both *Houſes*.

‘ 132. The exorbitant Power of Biſhops and their ‘ Courts are much abated, by ſome Proviſions in the ‘ *Bill* againſt the *High-Commiſſion* Courts, the Au- ‘ thors of the many Innovations in *Doctrine* and *Ce- ‘ remonies*.

'133. The Miniſters that have been ſcandalous in their Lives, have been ſo terrified in juſt Complaints and Accuſations, that we may well hope they will be more modeſt for the Time to come; either inwardly convicted by the Sight of their own Folly, or outwardly reſtrained by the Fear of Puniſhment. 1641.

'134. The *Foreſts* are by a good Law reduced to their right Bounds.

'135. The Encroachments and Oppreſſions of the *Stannery*-Courts, the Extortions of the *Clerk* of the Market;

'136. And the Compulſion of the Subject, to receive the Order of *Knighthood* againſt his Will, paying of Fines for not receiving it; and the vexatious Proceedings thereupon for levying of thoſe *Fines*, are by other beneficial Laws reformed and prevented.

'137. Many excellent Laws and Proviſions are in preparation for removing the inordinate Power, Vexation and Uſurpations of Biſhops; for reforming the Pride and Idleneſs of many of the *Clergy*; for eaſing the People of unneceſſary Ceremonies in Religion; for cenſuring and removing unworthy and unprofitable Miniſters, and for maintaining godly and diligent Preachers through the Kingdom.

'138. Other things of main Importance for the good of this Kingdom are in Propoſition, though little could hitherto be done in regard of the many other more preſſing Buſineſſes, which yet before the End of this Seſſion we hope may receive ſome Progreſs and Perfection.

'139. The eſtabliſhing and ordering the King's Revenue, that ſo the Abuſe of Officers, and Superfluity of Expences may be cut off, and the neceſſary Diſburſements for his Majeſty's Honour, the Defence and Government of the Kingdom may more certainly be provided for.

1641. ‘ 140. The regulating of Courts of Justice, and ‘ abridging both the Delays and Charges of Law-‘ Suits.

‘ 141. The settling of some good Courses for pre-‘venting the Exportation of Gold and Silver, and ‘the Inequality of Exchanges betwixt us and other ‘Nations, for the advancing of native Commodities, ‘encrease of our Manufactures, and well-ballancing ‘of Trade, whereby the Stock of the Kingdom may ‘be encreased, or at least kept from impairing, as ‘through neglect hereof it hath done for many Years ‘last past.

‘ 142. Improving the Herring-Fishing upon our ‘own Coasts, which will be of mighty use in the Em-‘ployment of the Poor, and a plentiful Nursery of ‘Mariners, for enabling the Kingdom in any great ‘Action.

‘ 143. The Oppositions, Obstructions, and other ‘Difficulties wherewith we have been encountered, ‘and which still lie in our way with some Strength ‘and much Obstinacy, are these; the malignant Party ‘whom we have formerly described to be Actors and ‘Promoters of all our Misery, they have taken ‘heart again:

‘ 144. They have been able to prefer some of their ‘own Factors and Agents to Degrees of Honour, to ‘Places of Trust and Employment, even during the ‘Parliament:

‘ 145. They have endeavoured to work in his Ma-‘jesty ill Impressions and Opinions of our Proceed-‘ings, as if we had altogether done our own Work, ‘and not his; and had obtained from him many ‘things very prejudicial to the Crown, both in respect ‘of Prerogative and Profit.

‘ 146. To wipe out this Slander, we think good ‘only to say thus much; That all that we have done ‘is for his Majesty, his Greatness, Honour and ‘Support, when we yield to give Twenty-five ‘Thousand Pound a Month for the Relief of the northern

'northen Counties; this was given to the King, for 1641.
'he was bound to protect his Subjects.

'147. They were his Majesty's evil Counsellors, 'and their ill Instruments that were Actors in those 'Grievances which brought in the *Scots*.

'148. And if his Majesty please to force those 'who were the Authors of this War to make Satis-'faction, as he might justly and easily do, it seems 'very reasonable that the People might well be ex-'cused from taking upon them this Burden, being 'altogether innocent, and free from being any Cause 'of it.

'149. When we undertook the Charge of the 'Army, which cost above 50000 *l.* a Month, was 'not this given to the King? Was it not his Majes-'ty's Army? Were not all the Commanders under 'Contract with his Majesty at higher Rates, and 'greater Wages than ordinary?

'150. And have not we taken upon us to dis-'charge all the brotherly Assistance of three Hun-'dred Thousand Pounds, which we gave the *Scots*? 'Was it not toward Repair of those Damages and 'Losses which they received from the King's Ships 'and from his Ministers?

'151. These three Particulars amount to above 'eleven Hundred Thousand Pound.

'152. Besides his Majesty hath received by Im-'positions upon Merchandise, at least four Hundred 'Thousand Pounds.

'153. So that his Majesty hath had out of the 'Subjects Purse since the Parliament began, one 'Million and a half; and yet these Men can be so 'impudent as to tell his Majesty, that we have done 'nothing for him.

'154. As to the second Branch of this Slander, we 'acknowledge with much Thankfulness, that his 'Majesty hath passed more good *Bills* to the Advan-'vantage of the Subjects, than have been in many 'Ages.

'155. But

1941. ‘ 155. But withal, we cannot forget that thoſe venomous Counſels did manifeſt themſelves in ſome ‘ Endeavours to hinder theſe good *Acts*.

‘ 156. And for both *Houſes* of Parliament we may ‘ with Truth and Modeſty ſay thus much: That we ‘ have ever been careful not to deſire any Thing ‘ that ſhould weaken the Crown either in juſt Profit ‘ or uſeful Power.

‘ 157. The *Triennial* Parliament for the Matter of ‘ it, doth not extend to ſo much, as by Law we ‘ ought to have required, there being two *Statutes* ‘ ſtill in force for a Parliament to be once a Year ‘ (25), and for the Manner of it, it is in the King's ‘ Power, that it ſhall never take Effect, if he by a ‘ timely Summons ſhall prevent any other way of ‘ aſſembling (26).

‘ 158. In the *Bill* for Continuance of this preſent ‘ Parliament, there ſeems to be ſome Reſtraint of ‘ the Royal Power in diſſolving of Parliaments, not ‘ to take it out of the Crown, but to ſuſpend the Execution of it for this Time and Occaſion only; ‘ which was ſo neceſſary for the King's own Security, ‘ and the publick Peace, that without it we could ‘ not have undertaken any of theſe great Charges, ‘ but muſt have left both the Armies to Diſorder, ‘ and Confuſion, and the whole Kingdom to Blood ‘ and Rapine.

‘ 159. The *Star-Chamber* was much more fruitful ‘ in Oppreſſion than in Profit, the great *Fines* being ‘ for the moſt part given away, and the reſt ſtalled ‘ at long Times.

REM. (25). *But theſe* Statutes *were grown obſolete by being diſuſed, like that of* Edward II, *on which the King proceeded to compel People to receive the Order of* Knighthood.

REM. (26). *The* Commons *might have ſaid, that he was himſelf the Cauſe of this* Act, *for having omitted to call a Parliament in twelve Years.*

‘ 160. The

1641.

'160. The *Fines* of the *High-Commiſſion* were in 'themſelves unjuſt, and ſeldom or never came into 'the King's Purſe. Theſe four *Bills* are particularly 'and more ſpecially inſtanced.

'161. In the reſt there will not be found ſo 'much as a Shadow of Prejudice to the Crown.

'162. They have ſought to diminiſh our Repu-'tation with the People, and to bring them out of 'Love with Parliaments.

'163. The Aſperſions which they have attempted 'this way have been ſuch as theſe.

'164. That we have ſpent much Time and done 'little, eſpecially in thoſe Grievances which concern 'Religion.

'165. That the Parliament is a Burthen to the 'Kingdom by the abundance of Protections which 'hinder Juſtice and Trade, and by many Subſidies 'granted much more heavy than any formerly en-'dured.

'166. To which there is a ready Anſwer, if the 'time ſpent in this Parliament, be conſidered in Re-'lation backward to the long Growth and deep Root 'of theſe Grievances which we have removed, to 'the powerful Supports of thoſe Delinquents, which 'we have purſued, to the great Neceſſities and o-'ther Charges of the Commonwealth, for which we 'have provided.

'167. Or if it be conſidered in relation forward 'to many Advantages, which not only the preſent, 'but future Ages are like to reap by the good Laws 'and other Proceedings in this Parliament; we doubt 'not but it will be thought by all indifferent Judg-'ments, that our Time hath been much better em-'ployed, than in a far greater Proportion of Time 'in many former Parliaments put together, and the 'Charges which have been laid upon the Subject, 'and the other Inconveniencies which they have born, 'will ſeem very light in reſpect of the Benefit they 'have and may receive.

'168. And

1641. ‘ 168. And for the Matter of Protection, the ‘ Parliament is ſo ſenſible of it, that therein they in- ‘ tended to give them whatſoever Eaſe may ſtand ‘ with Honour and Juſtice, and are in a way of ‘ paſſing a *Bill* to give them Satisfaction.

‘ 169. They have ſought by many ſubtle Practices ‘ to cauſe Jealouſies and Diviſions betwixt us and our ‘ Brethren of *Scotland*, by ſlandering their Proceed- ‘ ings and Intentions toward us, and by ſecret En- ‘ deavours to inſtigate and incenſe them and us one ‘ againſt another.

‘ 170. They have had ſuch a Party of Biſhops ‘ and *Popiſh* Lords in the *Houſe* of Peers, as hath ‘ cauſed much Oppoſition and Delay in the Proſecu- ‘ tion of Delinquents, hindered the Proceedings of ‘ divers good *Bills* paſſed in the *Commons* Houſe, con- ‘ cerning the Reformation of ſundry great Abuſes ‘ and Corruptions both in Church and State.

‘ 171. They have laboured to ſeduce and corrupt ‘ ſome of the *Commons* Houſe, to draw them into ‘ Conſpiracies and Combinations againſt the Liberty ‘ of the Parliament.

‘ 172. And by their Inſtruments and Agents, they ‘ have attempted to diſaffect and diſcontent his Ma- ‘ jeſty's Army ; and to engage it for the Maintain- ‘ ance of their wicked and trayterous Deſigns ; the ‘ keeping up of Biſhops in *Votes* and Functions, and ‘ by force to compel the Parliament to order, limit ‘ and diſpoſe their Proceedings in ſuch manner as ‘ might beſt concur with the Intentions of this dan- ‘ gerous and potent Faction.

‘ 173. And when one miſchievous Deſign and At- ‘ tempt of theirs to bring on the Army againſt the ‘ Parliament, and the City of *London* hath been diſ- ‘ covered and prevented,

‘ 174. They preſently undertook another of the ‘ ſame damnable Nature, with this Addition to it, ‘ to endeavour to make the *Scotiſh* Army neutral, ‘ whilſt the *Engliſh* Army, which they had laboured ‘ to corrupt and invenom againſt us, by their falſe

‘ and

'and ſlanderous Suggeſtions, ſhould execute their 1641.
'Malice to the Subverſion of our Religion, and the
'Diſſolution of our Government.

'175. Thus they have been continually practiſing
'to diſturb the Peace, and plotting the Deſtruction
'even of all the King's Dominions; and have em-
'ployed their Emiſſaries, and Agents in them, all
'for the promoting their deviliſh Deſigns, which the
'Vigilancy of thoſe who were well affected hath
'ſtill diſcovered and defeated before they were ripe
'for Execution in *England* and *Scotland*.

'176. Only in *Ireland* which was farther off, they
'have had Time and Opportunity to mould and pre-
'pare their Work, and had brought it to that Per-
'fection, that they had poſſeſſed themſelves of that
'whole Kingdom, totally ſubverted the Government
'of it, rooted out Religion, and deſtroyed all the
'*Proteſtants* whom the Conſcience of their Duty to
'God, their King and Country, would not have
'permitted to join with them, if by God's wonder-
'ful Providence their main Enterprize upon the City
'and Caſtle of *Dublin* had not been detected and
'prevented upon the very *Eve* before it ſhould have
'been executed.

'177. Notwithſtanding they have in other Parts
'of the Kingdom broken out into open Rebellion,
'ſurpriſing Towns and Caſtles, committed Murders,
'and Rapes, and other Villainies, and ſhaken off all
'Bonds of Obedience to his Majeſty and the Laws of
'the Realm (27).

REM. (27). *The* Commons *in theſe two laſt Particulars, conſider the malignant Party of* England *as the principal Authors of the* Iriſh *Rebellion, and artfully confound whatever had been done in* England *for fifteen Years, and the Maſſacre of* Ireland *in* 1641, *under the ſame Idea, as proceeding from the ſame Source, which was never well proved.*

'178.

1647. ‘ 178. And in general have kindled such a Fire, ‘ as nothing but God's infinite Blessing upon the ‘ Wisdom and Endeavours of this State will be able ‘ to quench.

‘ 179. And certainly had not God, in his great ‘ Mercy unto this Land, discovered and confounded ‘ their former Designs, we had been the Prologue ‘ to this Tragedy in *Ireland*, and had by this been ‘ made the lamentable Spectacle of Misery and ‘ Confusion.

‘ 180. And now what hope have we but in God, ‘ when as the only Means of our Subsistance and ‘ Power of Reformation is under him in the Parliament?

‘ 181. But what can we the *Commons*, without the ‘ Conjunction of the House of Lords, and what Conjunction can we expect there, when the Bishops ‘ and Recusant Lords are so numerous, and prevalent, that they are able to cross, and interrupt our ‘ best Endeavours for Reformation, and by that ‘ means give Advantage to this malignant Party, to ‘ traduce our Proceedings?

‘ 182. They infuse into the People, that we mean ‘ to abolish all Church-Government, and leave every ‘ Man to his own Fancy, for the Service and Worship ‘ of God, absolving him of that Obedience which he ‘ owes under God unto his Majesty; whom we know ‘ to be intrusted with the *Ecclesiastical* Law, as well ‘ as with the *Temporal*, to regulate all the Members ‘ of the Church of *England*, *by such Rule of Order and* ‘ *Discipline as are established by Parliament*; *which is* ‘ *his great Council*, *in all Affairs both in Church and* ‘ *State* (28.)

‘ 183. We

REM. (28.) *It is true, the* Commons *declare here, that their Intention is not to set up an* Independency *in Matter of Religion. But as to what relates to the Government of the Church they speak obscurely, because*

1641.

'183. We confeſs our Intention is, and our Endeavours have been to reduce within Bounds that 'exorbitant Power, which the Prelates have aſſumed 'unto themſelves, ſo contrary both to the Word of 'God, and to the Laws of the Land; to which end 'we paſſed the *Bill* for the removing them from their 'Temporal Power and Employments; that ſo the 'better they might with Meekneſs apply themſelves 'to the diſcharge of their Functions; which *Bill* 'themſelves oppoſed, and were the Principal Inſtruments of croſſing it.

'184. And we do here declare, that it is far 'from our Purpoſe or Deſire, to let looſe the Golden 'Reins of Diſcipline and Government in the Church, 'to leave private Perſons, or particular Congregations to take up what Form of Divine Service they 'pleaſe; for we hold it requiſite there ſhould be 'throughout the whole Realm a Conformity to that 'Order which the Laws enjoin according to the 'Word of God (29). And we deſire to unburthen 'the Conſciences of Men of needleſs and ſuperſtitious Ceremonies, ſuppreſs Innovations, and take away the Monuments of Idolatry.

'185. And the better to effect the intended Reformation, we deſire there may be a General *Synod* of the moſt grave, pious, learned, and judicious *Divines* of this Iſland; aſſiſted with ſome from 'foreign Parts, profeſſing the ſame Religion with 'us; who may conſider of Things neceſſary for the 'Peace and good Government of the Church, and

cauſe it was not yet time to declare their Minds more openly. They are contented with laying down, that the King ought to take the Parliament's Advice in the Affairs of the Church, a Maxim they intended to make great uſe of.

REM. (29.) *Great Uſe was afterwards made of this Reſtriction,* according to the Word of God, *to introduce greater Alterations than thoſe mentioned in this Article.*

'repreſent

1461. ‘ repreſent the Reſults of their Conſultations unto ‘ the Parliament, to be there allowed of and con- ‘ firmed and receive the Stamp of Authority, there- ‘ by to find Paſſage and Obedience throughout the ‘ Kingdom (30).

‘ 186. They have maliciouſly charged us, that we ‘ intend to deſtroy and diſcourage Learning, whereas ‘ it is our chiefeſt Care and Deſire to advance it, and ‘ to provide a competent Maintainance for conſcion- ‘ able and preaching Miniſters throughout the King- ‘ dom, which will be a great Encouragement to ‘ Scholars, and a certain Means whereby the Want, ‘ Meanneſs and Ignorance, to which a great Part ‘ of the *Clergy* is now ſubject, will be prevented.

‘ 187. And we intend likewiſe to reform, and ‘ purge the Fountains of Learning, the two Univer- ‘ ſities, that the Streams flowing from thence may be ‘ clear and pure, and an Honour and Comfort to ‘ the whole Land (31).

‘ 188. They have ſtrained to blaſt our Proceedings ‘ in Parliament, by wreſting the Interpretations of ‘ our Orders from their genuine Intention.

‘ 189. They tell the People that our meddling ‘ with the Power of Epiſcopacy, hath cauſed Sec- ‘ taries and Conventicles, when Idolatry and *Popiſh* ‘ Ceremonies introduced into the Church by the com-

REM. (30.) *The* Commons *diſcover here more fully their Intentions, in that,* 1. *It does not appear that they would admit Biſhops into this Synod.* 2. *In that they would have it to conſiſt of* Divines *of the Iſland, and conſequently of* Scots *who were all* Presbyterians, *and foreign Miniſters who were ſo too.*

REM. (31.) *It is certain, at the time this* Remonſtrance *was publiſhed, the Reſolution of aboliſhing the* Eccleſiaſtical Hierarchy *was already taken, though it was not yet openly declared. So likewiſe the Deſign to purge the two* Univerſities *was executed, by turning out the* Heads *and* Profeſſors *of the Church of* England, *and putting in* Presbyterians *in their Rooms.*

‘ mand

'mand of the Biſhops, have not only debarred the 1641.
'People from thence, but expelled them from the
'Kingdom.

'190. Thus with *Eliab*, we are called by this ma-
'lignant Party the Troublers of the State, and ſtill
'while we endeavour to reform their Abuſes, they
'make us the Authors of thoſe Miſchiefs we ſtudy
'to prevent.

'191. For the perfecting of the Work begun,
'and removing all future Impediments, we conceive
'theſe Courſes will be very effectual, ſeeing the Re-
'ligion of the *Papiſts* hath ſuch Principles as do cer-
'tainly tend to the Deſtruction and Extirpation of
'all *Proteſtants* when they ſhall have Opportunity
'to effect it.

'192. It is neceſſary in the firſt Place to keep
'them in ſuch Condition, as that they may not be
'able to do us any hurt, and for avoiding of ſuch
'Connivance and Favour as hath heretofore been
'ſhewed unto them.

'193. That his Majeſty be pleaſed to grant a
'ſtanding Commiſſion to ſome choice Men named
'in Parliament, who may take notice of their in-
'creaſe, their Counſels and Proceedings, and uſe all
'due means by the Execution of the Laws, to pre-
'vent all miſchievous Deſigns againſt the Peace and
'Safety of this Kingdom.

'194. And that ſome good Courſe be taken to
'diſcover the Counterfeit and falſe Conformity of
'*Papiſts* to the Church, by Colour whereof Perſons
'very much diſaffected to the true Religion, have
'been admitted into Places of greateſt Authority and
'Truſt in the Kingdom.

'195. For the better Preſervation of the Laws
'and Liberties of the Kingdom, that all illegal Grie-
'vances and Exactions be preſented and puniſhed at
'the *Seſſions* and *Aſſizes*.

'196. And that Judges and Juſtices be very care-
'ful to give this in Charge to the *Grand Juries*, and
'both the *Sheriff* and *Juſtices* to be ſworn to the

1641. ‘ due Execution of the *Petition of Right*, and other ‘ Laws.

‘ 197. That his Majesty be humbly petitioned by ‘ both Houses, to employ such Counsellors, Ambassadors, and other Ministers in managing his Business at Home and Abroad, as the Parliament may ‘ have Cause to confide in, without which we cannot ‘ give his Majesty such Supplies for support of his ‘ own Estate, nor such Assistance to the Protestant ‘ Party beyond the Sea as is desired.

‘ 198. It may often fall out, that the *Commons* ‘ may have just Cause to take Exceptions at some ‘ Men for being Counsellors, and yet not charge ‘ those Men with Crimes, for there be Grounds of ‘ Diffidence which lie not in proof.

‘ 199. There are others, which though they may ‘ be proved, yet are not legally criminal.

‘ 200. To be a known Favourer of *Papists*, or to ‘ have been very forward in defending or countenancing some great Offenders questioned in Parliament; or to speak contemptuously of either ‘ Houses of Parliament, or parliamentary Proceedings. (32.)

‘ 201. Or such as are Factors or Agents for any ‘ foreign Prince of another Religion; such are justly ‘ suspected to get Counsellors Places, or any other ‘ of Trust, concerning publick Employment for ‘ Money; for all these and divers others we may ‘ have great Reason to be earnest with his Majesty, ‘ not to put his great Affairs into such Hands, though ‘ we may be unwilling to proceed against them in any ‘ legal way of Charge or Impeachment.

‘ 202. That all Counsellors of State may be sworn ‘ to observe those Laws which concern the Subject in ‘ his Liberty, that they may likewise take an Oath ‘ not to receive, or give Reward or Pension from ‘ any foreign Prince, but such as they shall in some

REM. (32.) *It is something likely the* Commons *meant here the Lord* Digby, *Son to the Earl of* Bristol.

* ‘ reasonable

'reaſonable Time diſcover to the Lords of his Ma- 1641.
'jeſty's Council.

'203. And although they ſhould wickedly for-
'ſwear themſelves, yet it may herein do good to
'make them known to be falſe and perjured to thoſe
'who employed them, and thereby bring them into
'as little Credit with them as with us.

'204. That his Majeſty may have cauſe to be in
'love with good Counſel and good Men, by ſhewing
'him in an humble and dutiful Manner, how full of
'Advantage it would be to himſelf, to ſee his own
'Eſtate ſettled in a plentiful Condition to ſupport his
'Honour; to ſee his People united in Ways of Duty
'to him, and Endeavours of the publick Good; to
'ſee Happineſs, Wealth, Peace and Safety derived
'to his own Kingdom, and procured to his Allies
'by the Influence of his own Power and Govern-
'ment."

It is eaſy to perceive, after reading this *Remonſtrance* or *Declaration*, that it was a real *Manifeſto* againſt the King, under the Name of the *Counſellors*, and *Miniſters*, and *Malignants*. And therefore, before we proceed, it is reaſonable to ſhow the Reader the King's Anſwer to the *Petition*, which accompanied the *Remonſtrance*, and then to the *Remonſtrance* itſelf.

His MAJESTY'S *Anſwer to the Petition, which accompanied the Declaration preſented to him at* Hampton-Court, December 1. 1641.

'WE having received from you, ſoon after Ruſh. IV.
'our return out of *Scotland*, a long *Petition*, p. 452.
'conſiſting of many Deſires of great Moment, to- Nalſon, II.
'gether with a *Declaration* of a very unuſual Nature p. 744.
'annexed thereunto, we had taken ſome time to

1641. ‘ conſider it, as befitted us in a Matter of that Conſequence, being confident that your own Reaſon and ‘ Regard to us, as well as our expreſs Intimation, by ‘ our *Comptroller*, to that purpoſe, would have reſtrained you from publiſhing of it, till ſuch time ‘ as you ſhould have received our Anſwer to it; but ‘ much againſt our Expectation, finding the contrary, ‘ that the ſaid Declaration is already abroad in print, ‘ by Directions from your *Houſe*, as appears by the ‘ printed Copy, we muſt let you know, that we are ‘ *very ſenſible of the Diſreſpect*.

‘ Notwithſtanding it is our Intention, that no failing ‘ on your part ſhall make us fail in *ours*, of giving ‘ all due Satisfaction to the Deſires of our People ‘ in a parliamentary way; and therefore we ſend you ‘ this Anſwer to your *Petition*, reſerving our ſelf in ‘ point of the *Declaration*, which we think unparliamentary, and ſhall take a Courſe to do that which ‘ we ſhall think fit in Prudence and Honour.

‘ To the *Petition* we ſay, That although there are ‘ divers Things in the Preamble of it, which we are ‘ ſo far from admitting, that we profeſs we cannot at ‘ all underſtand them, as of a *wicked and malignant* ‘ *Party prevalent in the Government*; *of ſome of that* ‘ *Party admitted to our Privy-Council, and to other* ‘ *Employments of Truſt, and neareſt to us and our* ‘ *Children*; *of Endeavours to ſow among the People* ‘ *falſe Scandals and Imputations, to blemiſh and diſgrace* ‘ *the Proceedings of Parliament*: All, or any of ‘ which, did we know of, we ſhould be as ready to ‘ remedy and puniſh, as you to complain of; ſo that ‘ the Prayers of your *Petition* are grounded upon ſuch ‘ Premiſes, as we muſt in no wiſe admit; yet notwithſtanding, we are pleaſed to give this Anſwer to ‘ you. (1.)

‘ To

REM. (1.) *This ſo general Anſwer of the King was not capable of combating the particular Facts, whereby the*

1641.

'To the firſt, concerning Religion, conſiſting of 'ſeveral Branches, we ſay, That for preſerving the 'Peace and Safety of this Kingdom from the Deſigns 'of the *Popiſh* Party, we have, and will ſtill concur 'with all the juſt Deſires of our People in a parlia-'mentary Way: (2.) That for the depriving of the 'Biſhops of their *Votes* in Parliament, we would 'have you conſider, that their Right is grounded up-'on the *fundamental Law* of this Kingdom, and *Con-'ſtitution* of Parliament: This we would have you 'conſider; but ſince you deſire our Concurrence 'herein in a parliamentary way, we will give no fur-'ther Anſwer at this Time.

'As for the abridging of the inordinate Power of 'the Clergy, we conceive that the taking away the '*High-Commiſſion-Court* hath well moderated that; 'but if there continue any Uſurpations or Exceſſes 'in their Juriſdictions, we therein neither have nor 'will protect them. (3.)

'Unto that Clauſe which concerneth Corruptions '(as you ſtile them) in Religion, in Church-Go-'vernment, and in Diſcipline, and the removing of

Commons *pretended to prove in the* Remonſtrance, *that ſeveral Years ſince, the Court or malignant Party had endeavoured to ſet up an arbitrary Government.*

REM. (2.) *It is true, the King had never rejected the* Petitions *preſented to him on this Occaſion by the Parliament, but had always granted whatever was deſired. But then it is no leſs true, that his Promiſes in this reſpect had never been executed. Wherefore the Parliament did not complain of want of Concurrence, but of want of Performance. So the King's Anſwer as to his Concurrence was not properly to the purpoſe.*

REM. (3.) *It would have been very difficult to agree with the King about what ſhould be looked upon as Uſurpations or Exceſſes in the Juriſdiction of the* Clergy. *So the King properly bound himſelf to nothing by this general Promiſe.*

1641. ‘ ſuch unneceſſary *Ceremonies* as weak Conſciences ‘ might check; that for any illegal Innovations ‘ which might have crept in, we ſhall willingly con- ‘ cur in the Removal of them: That if our Parlia- ‘ ment ſhall adviſe us to call a *National Synod*, which ‘ may duly examine ſuch Ceremonies as give juſt ‘ Cauſe of Offence to any, we ſhall take it into ‘ Conſideration, and apply our ſelf to give due Sa- ‘ tisfaction therein (4.); but we are very ſorry to ‘ hear in ſuch general Terms, *Corruption* in Religion ‘ objected, ſince we are perſuaded in our Conſcience, ‘ that no Church can be found upon Earth that pro- ‘ feſſeth the true Religion with more *Purity* of Doc- ‘ trine than the Church of *England* doth, nor where ‘ the Government and Diſcipline are jointly more ‘ beautiful, and free from Superſtition, than as they ‘ are here eſtabliſhed by Law; which by the Grace ‘ of God, we will with Conſtancy maintain (while ‘ we live) in their Purity and Glory, not only againſt ‘ all Invaſions of *Popery*, but alſo from the Irreve- ‘ rence of thoſe many *Schiſmaticks* and *Separatiſts*, ‘ wherewith of late this Kingdom and this City a- ‘ bounds, to the great Diſhonour and Hazard of this ‘ Church and State, for the Suppreſſion of whom we ‘ require your timely Aid and active Aſſiſtance.

‘ To the ſecond Prayer of the Petition, concerning ‘ Removal and Choice of Counſellors, we know not ‘ any of our Council to whom the Character ſet ‘ forth in the *Petition* can belong: That by thoſe ‘ whom we had expoſed to Trial, we have already ‘ given you ſufficient Teſtimony, that there is no ‘ Man ſo near us in Place or Affection, whom we ‘ will not leave to the Juſtice of the Law, if you ‘ ſhall bring a particular Charge, and ſufficient ‘ Proofs againſt him; and of this we do again aſſure ‘ you; but in the mean Time we wiſh you to for- ‘ bear ſuch general Aſperſions as may reflect upon

REM. (4.) *Another general Anſwer which ſignifies nothing.*

all

'all our Council, since you name none in parti- 1641.
'cular.

'That for the Choice of our Counsellors and Ministers of State, it were to debar us that natural Liberty all Freemen have; and it is the undoubted Right of the Crown of *England*, to call such Persons to our secret Councils, to publick Employment and our particular Service, as we shall think fit; so we are, and ever shall be very careful to make Election of such Persons in those Places of Trust, as shall have given good Testimonies of their Abilities and Integrity, and against whom there can be no just Cause of Exception, whereon reasonably to ground a Diffidence; and to Choices of this Nature, we assure you that the Mediation of the nearest unto us hath always concurred. (5.)

'To the third Prayer of your *Petition* concerning *Ireland*, we understand your desire of not alienating the forfeited Lands thereof, to proceed from much Care and Love, and likewise that it may be a Resolution very fit for us to take; but whether it be seasonable to declare Resolutions of that Nature, before the Events of a War be seen, that we much doubt of. Howsoever, we cannot but thank you for this Care, and your chearful Engagement for the Suppression of that Rebellion; upon the speedy effecting whereof, the Glory of God in the Protestant Profession, the Safety of the *British* there, our Honour, and that of the Nation so much depends; all the Interests of this Kingdom being so involved in that Business, we cannot but quicken your Affections therein, and shall desire you to frame your Counsels, to give such Expedition to the Work, as the Nature thereof, and the Pressures in point of Time require; and whereof you are put in mind by the daily Insolence and Increase of those Rebels.

REM. (5.) *He means the Queen.*

1641. ‘ For Concluſion; your Promiſe to apply your ‘ ſelves to ſuch Courſes as may ſupport our Royal ‘ Eſtate with Honour and Plenty at Home, and ‘ with Power and Reputation Abroad, is that which ‘ we have ever promiſed our Self, both from your ‘ Loyalties and Affections, and alſo for what we have ‘ already done, and ſhall daily go adding unto, for ‘ the Comfort and Happineſs of our People. ”

The Anſwer to the *Remonſtrance* did not come forth till ſome time after; for as far as I can conjecture, it was not ſent to the *Commons* till about the Month of *January* 1641--2. I ſhall however inſert it in this Place, as well not to divide this Matter, as that the Anſwer may be read before the *Remonſtrance* is forgot.

The King's DECLARATION *in Anſwer to the* REMONSTRANCE *of the State of the Kingdom.*

Anſwer to the Remonſtrance. Rush. IV. * Nalſon II. p. 746.

‘ ALthough we do not believe that our Houſe of ‘ Commons intended, by their Remonſtrance ‘ of the State of the Kingdom, to put us to any ‘ Apology, either for our paſt or preſent Actions: ‘ Notwithſtanding ſince they have thought it ſo very ‘ neceſſary (upon their Obſervations of the preſent ‘ Diſtemper) to publiſh the ſame, for the Satisfaction ‘ of all our loving Subjects, we have thought it very ‘ ſuitable to the Duty of our Place (with which God ‘ hath truſted us) to do our part to ſo good a Work, ‘ in which we ſhall not think it below our kingly Dig- ‘ nity to deſcend to any particular, which may com- ‘ poſe and ſettle the Affections of our meaneſt Sub- ‘ jects, ſince we are ſo conſcious to our ſelf of ſuch ‘ upright Intentions and Endeavours, and only of ‘ ſuch

* This Declaration is not in *Ruſhworth*.

'ſuch (for which we give God thanks) for the Peace 1641.
'and Happineſs of our Kingdom, in which the Proſ-
'perity of our Subjects muſt be included, that we
'wiſh from our Heart, that even our moſt ſecret
'Thoughts were publiſhed to their View and Exami-
'nation: Though we muſt confeſs, we cannot but
'be very ſorry in this Conjuncture of time, (when
'the Unhappineſs of this Kingdom is ſo generally
'underſtood Abroad) there ſhould be ſuch a Ne-
'ceſſity of publiſhing ſo many Particulars, from
'which, we pray, no Inconveniencies may enſue
'that were not intended.

'We ſhall in few words paſs over that part of the
'Narrative, wherein the Misfortunes of this Kingdom
'from our firſt entring to the Crown, to the Begin-
'ning of this Parliament, are remembred in ſo ſenſi-
'ble Expreſſions. (1.) And that other which ac-
'knowledgeth the many good Laws paſſed by our
'Grace and Favour this Parliament, for the Security
'of our People; of which we ſhall only ſay thus
'much, That as we have not refuſed to paſs any *Bill*
'preſented to us by our Parliament, for redreſs of
'thoſe Grievances mentioned in the *Remonſtrance*; ſo
'we have not had a greater Motive for the paſſing
'thoſe Laws than our own Reſolution (grounded
'upon our Obſervation, and underſtanding the State
'of our Kingdom) to have freed our Subjects for
'the future, from thoſe Preſſures which were grie-
'vous to them if thoſe Laws had not been pro-
'pounded, (2.) which therefore we ſhall as inviolably

REMARK (1.) *The King could not hardly own more frankly what is ſaid in the* Remonſtrance, *concerning the firſt Fifteen Years of his Reign, than by wholly paſſing it over without Anſwer.*

REM. (2.) *This is alſo a Confeſſion that* Grievances *were juſtly complained of. The King ſays, his Reſolution was to redreſs them, and it was not poſſible to convince him of the contrary. But after all, he was believed but by few Perſons.*

'maintain,

1641. ‘ maintain, as we look to have our own Rights pre-
‘ ſerved, not doubting but that all our loving Sub-
‘ jects will look on theſe Remedies, with that full
‘ Gratitude and Affection, that even the Memory of
‘ what they have formerly undergone by the Acci-
‘ dents and Neceſſities of thoſe Times, will not be
‘ unpleaſant to them: And poſſibly in a pious Senſe
‘ of God's bleſſing upon the Nation (how little
‘ ſhare ſoever we ſhall have of the Acknowledgment)
‘ they will confeſs they have enjoyed a great Mea-
‘ ſure of Happineſs (even thoſe laſt ſixteen Years)
‘ both in Peace and Plenty, not only comparatively
‘ in reſpect of their Neighbours, but even of thoſe
‘ times which were juſtly accounted fortunate. The
‘ Fears and Jealouſies which may make ſome Impreſ-
‘ ſions in the Minds of our People, we will ſuppoſe
‘ may be of two ſorts; either for Religion, or Li-
‘ berty and their Civil Intereſt. The Fears for Re-
‘ ligion may haply be, not only as ours here eſta-
‘ bliſhed, may be invaded by the *Romiſh* Party, but
‘ as it is accompanied with ſome Ceremonies, at which
‘ ſome tender Conſciences really are or pretend to be
‘ ſcandalized, for of any other which have been uſed,
‘ without any legal Warrant or Injunction, and al-
‘ ready are, or ſpeedily may be aboliſhed, we ſhall
‘ not ſpeak.

‘ Concerning Religion, as there may be any ſuſpi-
‘ cion of Favour or Inclinations to the *Papiſts*, we
‘ are willing to declare to all the World, That as we
‘ have been from our Childhood brought up in, and
‘ practiſed the Religion eſtabliſhed in this Kingdom,
‘ ſo it is well known, we have (not contented ſimply
‘ with the Principles of our Education) given a
‘ good Proportion of our Time and Pains, to the Ex-
‘ amination of the Grounds of this Religion, as it is
‘ different from that of *Rome*, and are from our Soul
‘ ſo well ſatisfied and aſſured that it is the moſt pure
‘ and agreeable to the ſacred Word of God, of any
‘ Religion now practiſed in the Chriſtian World:
‘ That as we believe we can maintain the ſame by

‘ unanſwera-

'unanſwerable Reaſons, ſo we hope we ſhould rea- 1641.
'dily ſeal to it by the Effuſion of our Blood, if it
'pleaſed God to call us to that Sacrifice. And there-
'fore nothing can be ſo acceptable to us, as any
'Propoſition which may contribute to the Advance-
'ment of it here, or the Propagation of it abroad,
'being the only Means to draw down a Bleſſing from
'God upon our Selves and this Nation. And we
'have been extremely unfortunate, if this Profeſſion
'of ours be wanting to our People: Our conſtant
'practice in our own Perſon, having always been
'(without Oſtentation) as much to the Evidence of
'our Care and Duty herein, as we could poſſibly
'tell how to expreſs (3).

'For Differences among our ſelves, for Matters
'indifferent in their own Nature concerning Religi-
'on, we ſhall in Tenderneſs to any Numbers of our
'loving Subjects, very willingly comply with the
'Advice of our Parliament, that ſome Law may be
'made for the Exemption of tender Conſciences
'from Puniſhment, or Proſecution for ſuch Ceremo-
'nies, and in ſuch Caſes which by the Judgment of
'moſt Men, are held to be Matters indifferent, and
'of ſome to be abſolutely unlawful. Provided that
'this Eaſe be attempted and preſerved with that Mo-
'deſty, Temper, and Submiſſion, that in the mean

REM. (3). *The* Remonſtrance *did not accuſe the King of being a* Papiſt *in his Heart, but of having countenanced the* Catholicks, *by not putting the Laws in Execution againſt them. He clears himſelf here from having any Inclinations to the* Romiſh *Religion, and leaves the Conſequence to be drawn, that ſince he is perſwaded of the Truth of the* Proteſtant *Religion, it is not poſſible he ſhould encourage the* Roman. *But his Conduct had ſhown that this Conſequence did not neceſſarily follow, ſince it was notorious that he had countenanced the* Papiſts, *from the beginning of his Reign, whether out of Complaiſance to the Queen, or from ſome Political Views.*

'time

1641. ‘ time the Peace and Quiet of the Kingdom be not ‘ disturbed, the decency and comelineſs of God's Ser- ‘ vice diſcountenanced, nor the pious, ſober, and ‘ devout Actions of thoſe Reverend Perſons who ‘ were the firſt Labourers in the bleſſed Reformation, ‘ or of that Time, be ſcandalized and defamed (4), ‘ for we cannot without Grief of Heart, and with- ‘ out ſome Tax upon our Self, and our Miniſters, ‘ for the not Execution of our Laws, look upon the ‘ bold Licence of ſome Men, in printing of Pam- ‘ phlets, in preaching and printing of Sermons, ſo ‘ full of Bitterneſs and Malice againſt the preſent ‘ Government, againſt the Laws eſtabliſhed, ſo full ‘ of Sedition againſt our Self, and the Peace of the ‘ Kingdom, that we are many times amazed to con- ‘ ſider by what Eyes theſe Things are ſeen, and by ‘ what Ears they are heard. And therefore we have ‘ good Cauſe to command as we have done, and ‘ hereby do, all our Judges and Miniſters of Juſtice, ‘ our Attorney and Sollicitor-General, and the reſt ‘ of our learned Council, to proceed with all ſpeed a- ‘ gainſt ſuch, and their Abettors, who either by ‘ Writing or Words, have ſo boldly and maliciouſly ‘ violated the Laws, diſturbed the Peace of the ‘ Common-wealth, and as much as in them lies, ‘ ſhaken the very Foundation upon which that Peace ‘ and Happineſs is founded and conſtituted. And we ‘ doubt not but all our loving Subjects will be very ‘ ſenſible that this buſie, virulent Demeanour, is a ‘ fit Prologue to nothing but Confuſion; and if not ‘ very ſeaſonably puniſhed and prevented, will not ‘ only be a blemiſh to that wholſome Accommoda- ‘ tion we intend, but an unſpeakable Scandal and ‘ Imputation,

REM. (4) *The King was not in the wrong to ſupport the eſtabliſhed Worſhip, and to account as an Indulgence whatever ſhould be granted to tender Conſciences. But after all, this Indulgence was confined to a very ſmall Matter, if we conſider all the Limitations contained in this Article.*

'Imputation, even upon the Profeſſion and Religion 1641.
'of this our Kingdom.

'Concerning the Civil Liberties and Intereſts of 'our Subjects, we ſhall need to ſay the leſs, having 'erected ſo many laſting Monuments of our Princely and Fatherly Care of our People, in whoſe many excellent Laws, paſſed by us this Parliament, 'which in Truth (with very much Content to our 'Self,) we conceive to be ſo large and ample, that 'very many ſober Men have very little left to wiſh 'for.

'We underſtand well the Right, and Pretences 'of Right, we departed from in the conſenting to 'the *Bills* of the *Triennial* Parliament, for the Continuance of this preſent Parliament, and in the Preamble to the *Bill* of Tonnage and Poundage. The 'Matter of which having begot ſo many Diſturbances in late Parliaments, we were willing to remove, 'that no Intereſt of ours might hereafter break that 'Correſpondence, abundantly contenting our Self, 'with an Aſſurance (which we ſtill have) that we 'ſhould be repaired and ſupplied by a juſt Proportion of Confidence, Bounty and Obedience of our 'People. In the *Bills* for taking away the *High-Commiſſion* and *Star-Chamber* Courts, we believed we 'had given that real Satisfaction, that all Jealouſies 'and Apprehenſions of Arbitrary Preſſures under 'the Civil and Eccleſiaſtical State, would eaſily have 'been abandoned, eſpecially when they ſaw all poſſible doubts ſecured by the Viſitation of a *Triennial* 'Parliament.

'Theſe and others of no mean Conſideration, we 'had rather ſhould be valued in the Hearts and Affections of our People, than in any mention of our 'own; not doubting, but as we have taken all theſe 'Occaſions to render their Condition moſt comfortable and happy, ſo they will always in a grateful 'and dutiful Relation, be ready with equal Tenderneſs and Alacrity to advance our Rights, and preſerve our Honour, upon which their own Securi-

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1641. ‘ty and Subſiſtance ſo much depends. And we ‘will be ſo careful, that no particular ſhall be pre‘ſented to us, for the compleating and eſtabliſhing ‘that Security to which we will not with the ſame ‘readineſs contribute our beſt Aſſiſtance.

‘If theſe Reſolutions be the Effects of our preſent ‘Counſels (and we take God to Witneſs, that they ‘are ſuch, and that all our loving Subjects may con‘fidently expect the Benefit of them from us,) cer‘tainly no ill Deſign upon the Publick can accom‘pany ſuch Reſolutions, neither will there be greater ‘Cauſe of Suſpicion of any Perſons preferred by us ‘to Degrees of Honour, and Places of Truſt and ‘Employment ſince this Parliament. And we muſt ‘confeſs, that amongſt our Misfortunes, we reck‘on it not the leaſt, that having not retained in our ‘Service, nor protected any one Perſon, againſt ‘whom our Parliament hath excepted, during the ‘whole ſitting of it, and having in all that time ſcarce ‘vouchſafed to any Man an Inſtance of our Grace ‘and Favour, but to ſuch who were under ſome e‘minent Character of Eſtimation among our People, ‘there ſhould ſo ſoon be any Miſ-underſtanding or ‘Jealouſie of their Fidelity and Uprightneſs, eſpeci‘ally in a Time when we take all Occaſions to de‘clare, that we conceive our Self only capable of ‘being ſerved by honeſt Men, and in honeſt Ways. ‘However, if in Truth we have been miſtaken in ‘ſuch our Election, the Particular ſhall be no ſooner ‘diſcovered to us, either by our own Obſervation, ‘or other certain Information, than we will leave ‘them to publick Juſtice, under the Marks of our ‘Diſpleaſure.

‘If notwithſtanding this, any malignant Party ‘ſhall take Heart, and be willing to ſacrifice the ‘Peace and Happineſs of their Country to their own ‘ſiniſter Ends and Ambitions, under what pretence ‘of Religion and Conſcience ſoever; If they ſhall ‘endeavour to leſſen our Reputation and Intereſt, ‘and to weaken our lawful Power and Authority

‘with

'with our good Subjects; if they ſhall go about by 1641.
'diſcountenancing the preſent Laws to looſen the
'Bands of Government, that all Diſorder and Con-
'fuſion may break in upon us, we doubt not, but
'God in his good Time will diſcover them to us;
'and the Wiſdom and Courage of our High-Court
'of Parliament, join with us in their Suppreſſion and
'Puniſhment.

'Having now ſaid all that we can to expreſs the
'clearneſs and uprightneſs of our Intentions to our
'People, and done all we can to manifeſt thoſe In-
'tentions, we cannot but confidently believe all our
'good Subjects will acknowledge our Part to be ful-
'ly performed, both in Deeds paſt, and preſent Re-
'ſolutions, to do whatſoever with Juſtice may be
'required of us, and that their Quiet and Proſperity
'depends now wholly upon themſelves, and is in
'their own Power, by yielding all Obedience and
'due Reverence to the Law, which is the Inheri-
'tance of every Subject, and the only Security he
'can have for his Life, Liberty or Eſtate, and the
'which being neglected or diſ-eſteemed (under what
'ſpecious ſhews ſoever) a very great Meaſure of In-
'felicity, if not an irreparable Confuſion muſt with-
'out doubt fall upon them. And we doubt not it
'will be the moſt acceptable Declaration a King can
'make to his Subjects, that for our part we are re-
'ſolved not only duly to obſerve the Laws our Self,
'but to maintain them againſt what Oppoſition ſo-
'ever, though with the Hazard of our Being (5).

REM. (5). *Unhappily for the King, theſe Kinds of general Promiſes, to which he could give what ſenſe he thought proper, had not the Effect upon the* Commons *he expected, or rather they produced the quite contrary, and increaſed their Diſtruſt. This the Reader will be convinced of when he comes to ſee what had paſſed, probably, before this* Declaration *was publiſhed.*

'And

1641. 'And our hope is, that not only the Loyalty and 'good Affections of all our loving Subjects, will 'concur with us in the constant preserving a good 'Understanding between us and our People, but at 'this Time their own and our Interest and Com-'passion of the lamentable Condition of our poor 'Protestant Subjects in *Ireland*, will invite them to 'a fair Intelligence and Unity amongst themselves, 'that so we may with one Heart intend the reliev-'ing and recovering that unhappy Kingdom, where 'those barbarous Rebels practice such inhuman and 'unheard-of Outrages upon our miserable People, 'that no Christian Ear can hear without Horror, 'nor Story parallel. And as we look upon this as 'the greatest Affliction it hath pleased God to lay 'upon us, so our unhappiness is increased, in that 'by the Distempers at Home, so early Remedies 'have not been applied to these gowing Evils, as 'the Expectation and Necessity there requires, 'though for our Part, as we did upon the first no-'tice acquaint our Parliament of *Scotland*, (where we 'then were) with that Rebellion, requiring their Aid 'and Assistance, and gave like speedy Intimation 'and Recommendation to our Parliament here; so 'since our return hither we have been forward to all 'Things which have been proposed to us toward 'that Work, and have lately our Self offered (by 'a Message to our House of Peers, and communi-'cated to our House of *Commons*) to take upon us 'the Care to raise speedily 10000 *English* Volunteers 'for that Service, if the House of *Commons* shall de-'clare, that they will pay them (6); which parti-'culars we are (in a manner) necessitated to pub-'lish, since we are informed that the Malice of some 'Persons hath whispered it abroad, that no speedier

'advancing

REM. (6). *It appears by this Passage, that this Answer was not published till after the King's Offer of levying ten Thousand Men for* Ireland, *that is to say, in the Month of* January 1641-2.

'advancing of the Buſineſs, hath proceeded from 1641.
'ſome want of Alacrity in us to this great Work,
'whereas we acknowledge it a high Crime againſt
'Almighty God, and inexcuſable to our good Sub-
'jects of our three Kingdoms, if we did not to the
'utmoſt imploy all our Powers and Faculties to the
'ſpeedieſt and moſt effectual Aſſiſtance and Protec-
'tion of that diſtreſſed People.

'And we ſhall now conjure all our good Subjects
'(of what degree ſoever) by all the Bonds of Love,
'Duty, or Obedience, that are precious to good
'Men, to join with us for the Recovery of the Peace
'of that Kingdon, and the Preſervation of the
'Peace of this, to remove all their Doubts and
'Fears, which may interrupt their Affection to us,
'and all their Jealouſies and Apprehenſions, which
'may leſſen their Charity to each other, and then
'(if the Sins of this Nation have not prepared an in-
'evitable Judgment for us all) God will yet make
'us a great and glorious King, over a free and hap-
'py People.

The bare reading of this Declaration ſufficiently ſhows the King had no Intention to give a particular Anſwer to the *Remonſtrance* of the State of the Kingdom, which contained ſo many different Articles, which the King's Declaration does not meddle with at all. And it may be, he would never have given any Anſwer, if his Enemies had not triumphed in his Silence. He thought proper therefore to publiſh this Declaration, rather that he might be able to ſay he had anſwered the *Remonſtrance*, than to anſwer it indeed, and what is more, he publiſhed it not till long after he had received the *Remonſtrance*. However, the Step the *Commons* had taken in publiſhing this Paper againſt his Will, made a deep Impreſſion on his Mind, and convinced him that they had ſome grand Deſign, ſince they ſhowed ſo little regard for him.

1641. *Effect of the Remonstrance.*

It was not very ſtrange that the King ſhould be highly diſpleaſed with ſuch a Remonſtrance, which was properly but a long Train of Reproaches for his paſt Conduct, and againſt his Government, with a *Remonſtrance*, not directed to himſelf, but to the Publick, the Authors whereof had no other view but to incenſe the People againſt him, and which was made at a Time when it ſeemed moſt unneceſſary. And therefore the beginning of the Breach between the King and the Parliament, is properly to be dated from this Time, though Matters were not yet brought to an open Rupture.

Next Day, the ſecond of *December*, the King coming to the Parliament *Houſe*, the Speaker preſented to him the *Bill* for *Tonnage* and *Poundage* for ſome Months only, wherein the King expreſsly owns, that he had till then levied theſe *Duties* without a legal Power. He made on this occaſion a fine Speech full of his Majeſty's Praiſes for his Goodneſs and Affection to his People. After which, the King ſpoke in the following manner to both *Houſes*.

My Lords and Gentlemen,

The King's Speech to both Houſes. Dec. 2. Ruſh. IV. p. 456. Nalſon, II. p. 708.

" I think it fit after ſo long Abſence, at this firſt " Occaſion to ſpeak a few Words unto you: But " it is in no ways in Anſwer to Mr. *Speaker*'s learned " Speech.

" Albeit I have ſtaid longer than I expected to " have done when I went away, yet in this I have " kept my Promiſe with you, that I have made all " the haſte back again, that the ſettling of my *Scotch* " Affairs could any ways permit. In which I have " had ſo good Succeſs, that I will confidently af- " firm to you, that I have left that Nation a moſt " peaceable and contented People; ſo that although " I have a little miſreckoned in Time, yet I am not " deceived in my End.

" But

1641.

" But if I have deceived your Expectations a little " in time of my return, yet I am aſſured that my " Expectation is as much and more deceived in the " Condition wherein I hoped to have found ſome " Buſineſſes at my return. For that ſince before my " going I ſettled the Liberties of my Subjects, and " gave the Laws a free and orderly Courſe, I ex- " pected to have found my People reaping the Fruits " of thoſe Benefits, by living in Quietneſs and Sa- " tisfaction of Mind: But inſtead of this I find them " diſturbed with Jealouſies, Frights, and Alarms " of dangerous Deſigns and Plots; in Conſequence " of which, Guards have been ſet to defend both " *Houſes*. I ſay not this as in doubt that my Sub- " jects Affections are any way leſſened unto me in " this Time of my Abſence, for I cannot but re- " member, to my great Comfort, the joyful Re- " ception I had now at my Entry into *London*; but " rather, as I hope, that my Preſence will eaſily " diſperſe theſe Fears: For I bring as perfect and " true Affections to my People, as ever Prince did, " or as good Subjects can poſſibly deſire. And I " am ſo far from repenting me of any Act I have " done in this Seſſion for the good of my People, " that I proteſt if it were to do again, I would do " it; and will yet grant what elſe can be juſtly de- " ſired, for Satisfaction in Point of Liberties, or in " Maintenance of the true Religion that is here eſta- " bliſhed.

" Now I have but one particular to recommend " unto you at this Time, it is *Ireland*; for which " though I doubt not your Care, yet methinks the " Preparations for it go but ſlowly on. The Occa- " ſion is the fitter for me now to mention it, becauſe " of the Arrival of two Lords from *Scotland*, who " came inſtructed from my Council there (who now " by Act of Parliament have full Power for that " purpoſe) to anſwer that Demand, which it plea- " ſed both *Houſes* to make me by way of *Petition*, " that met me at *Berwick*; and which the Duke of

1641. "*Richmond* sent back by my Command, to my *Scotish* Council. Therefore my Desire is, that both "*Houses* would appoint a select Committee to end "this Business with these Noblemen.

"I must conclude in telling you, that I seek my "People's Happiness: For their flourishing is my "greatest *Glory*, and their Affections my greatest "Strength.".

It was not without Reason that the King resolved to express a great Zeal for the Publick Good, since the *Remonstrance* of the *Commons* plainly taught him that Endeavours were using to make him forfeit the Love of the People. It was necessary therefore to countermine the Designs of his Enemies, by repeated Assurances of a great Affection for his People, and by giving to understand that he had entirely changed his Principles and Maxims. But he lay under one great Disadvantage, in that for Things to come, he could give no other Security than his Word, on which his Enemies pretended to demonstrate there was no relying. They chiefly urged, that although the King had solemnly given his Assent to the *Petition of Right*, he had never executed what he promised. The Consequence they drew from this Non-performance was so much the stronger, as the King had nothing to alledge against it but bare Promises, which were of no greater Force than those he made with regard to that *Petition*.

A Committee to treat about the Scotch *Succours.*

As the King had earnestly recommended to the Parliament the Consideration of the Affairs of *Ireland*, both *Houses* appointed without Delay a Committee to treat with the *Scots* about Succours. The *Commons* in particular passionately desired to negotiate with *Scotland*, imagining as they did, that the King was willing to engage them to send an Army into *Ireland*, that he might be more at ease in *England*, they could not pitch upon a more effectual way to break his Measures, than to employ *Scotch* Troops to relieve that Kingdom. As they had already taken

the

the Reſolution, though ſecretly, of deveſting the King of great Part of his Power, they eaſily foreſaw that a Breach would infallibly enſue, and then they ſhould have need of the Troops the King would have them ſend into *Ireland*. 1641.

After the *Remonſtance* every Thing manifeſtly tended to a Rupture between the King and the Parliament, and the *Commons* omitted no Opportunity to infuſe Suſpicions into the Minds of the People againſt the King. With this View, *Daniel O Neal*, who was concerned in the Plot to ſeduce the Army, was voted guilty of a ſecond Attempt in the Month of *July* laſt, to perſwade the chief Officers of the Army to take part with the King againſt the Parliament. This tended to ſhow that the King had not given over his Project to make uſe of Force to awe the Parliament. *Great likelihood of a Breach. Vote againſt* O Neal. Ruſh. IV. P. 455.

On the other Hand, the Rebels of *Ireland* having [by the Lord *Coſtelough*] preſented to the Lords Juſtices of that Kingdom a Letter in the nature of a *Remonſtrance*, wherein they demanded *the free Exerciſe of their Religion*, and *a Repeal of all Laws to the contrary*, the *Commons* made a great Noiſe about it. They knew the Lord *Coſtelough*, with the Lord *Taaff* were on their way to *England*, with Propoſitions to be offered to his Majeſty concerning Means for procuring the Peace of *Ireland*. So fearing, or pretending to fear, the King would grant Liberty of Conſcience to the *Iriſh* Papiſts, they deſired a Conference with the Lords. After which, it was ſolemnly declared by both *Houſes*, that they would never conſent to any Toleration of the *Popiſh* Religion in *Ireland* [or any other his Majeſty's Dominions.] It is eaſy to ſee how much this tended to breed Suſpicions againſt the King. *The* Iriſh *demand a Toleration. Vote of both Houſes on that Occaſion.* Ruſh. IV. P. 455.

If we ſuppoſe what I have hinted already, that the Aim of the *Commons*, or at leaſt of the major Part of the Houſe, was to put it out of the King's Power to govern for the future, as he had done before this Parliament, and that in order to prepare the People *Motives of the* Commons *Proceedings.*

1641. for the Change in Hand, it was neceſſary to fill them with Fears and Jealouſies, we ſhall fully underſtand the Motives of all their Proceedings, and the ill Situation the King was then in. His Subjects were prejudiced againſt him, and he had given them but too much cauſe to be ſo. The *Commons* ſcarce took one Step but what tended to increaſe this Prejudice; and the King, in order to remove it, could alledge only the Sincerity of his Intentions, which many People were not perſuaded of. This gave his Enemies an Advantage, which they did not fail to improve on all Occaſions. Nay, they deſcended even to the meaneſt Trifles, to cheriſh the People's Fears. For upon Information that amongſt ſome Barrels of Soap ſent by a Merchant of *London* to *Dorcheſter*, there was found a Barrel of Gun-powder, the *Houſe* appointed a Committee * to make a ſtrict Inquiry into the Matter, as into a Thing of the greateſt Conſequence.

A Meſſage from the King about eight condemned Prieſts. Nalſon II. p. 719, 740.

About the ſame Time another Affair happened, which gave ſome Advantage againſt the King. The 8th of *December* he ſent to acquaint both *Houſes*, that Seven *1 Prieſts having been condemned that Week, the *French* Ambaſſador had deſired him to change the Sentence of Death into that of Baniſhment, upon which he wanted to have their Advice. Some Days after, the *Commons* voted that the Seven Prieſts ſhould be executed, and the Lords concurring with this Vote, both *Houſes* petitioned the King to order the Execution. The King replied, that he would baniſh the Seven Prieſts, if both *Houſes* would give their Conſent. As they did not think proper to return any Anſwer, the King took occaſion from their Silence to ſuſpend the Execution. Two Months after, the King communicated a Letter to them, which Secretary *Nicholas* had received from *Venice*, wherein he was

* They ſent down an Order to the Juſtices of Peace of *Dorcheſter* to make diligent Search for a Barrel of Powder ſent thither for a Barrel of Soap. *Nalſon* II. p. 719.

*1 *Rapin* ſays Six, but *Nalſon* makes them to be Seven. *See Nalſon* II. p. 740.

was told that the Pope threatned to ſend an Army into *Ireland*, if the Prieſts were executed. Upon this Menace, both *Houſes* prayed the King once more to put the Sentence againſt the Seven Prieſts in Execution. But he thought not proper to grant their Deſire. His reaſon was the Fear of Repriſals, and that this Rigour might be extremely prejudicial to the *Engliſh* Proteſtants in *Ireland*, who ſhould fall into the Hands of the Rebels. This Reaſon was ſo much the weaker, as it ſerved not only for the preſent Caſe, but alſo for all that ſhould offer in time to come, and tended to render the Laws of no Effect. Beſides the *Iriſh* having already maſſacred above Forty Thouſand *Engliſh* Proteſtants without any Cauſe, the Fear of Repriſals from them ſeems to have been a weak Argument for pardoning theſe Prieſts. And therefore it was generally thought to be owing to the Sollicitations of the Queen. Be this as it will, the Prieſts were not executed; for though afterwards the King left it to both Houſes to put to Death or ſave them, they did not think fit to take upon them either to pardon or execute. All this was extremely injurious to the King, ſince, at the very time, he ſolemnly proteſted that he was reſolved to put the Laws in Execution, he granted his Protection to theſe Seven Prieſts convicted according to Law, and had no regard to the Inſtances of both Houſes. 1641.

At this time, I mean in the Month of *December* 1641, two Affairs took up by Turns the Houſe of *Commons*, namely, the Succour for *Ireland*, and the Accuſation preſented to the Lords againſt the Biſhops. I ſhall only ſpeak of the firſt at preſent.

Cauſes of the Backwardneſs to aſſiſt Ireland.

The King and Parliament were equally agreed as to the Neceſſity of relieving *Ireland*, and all the Advices from thence were a Demonſtration of the ſame. The *Iriſh* Army was at the Gates of *Dublin*, and had cut in pieces a Body of Troops ſent to *Drogheda*. So, in all likelihood, the Lords-Juſtices, with the few Troops they had, could not long hold out againſt the Rebels. The *Scotch* Commiſſioners that were come

1641. to *London* to treat with the Parliament, had offered an Aid of Five Thousand Men, who might with ease be sent from *Scotland* into the *North* of *Ireland* to make a Diversion, and the *Commons* had prevailed with them to treat for Ten Thousand. The Design of the *Commons* was to employ only *Scotch* Troops in the Reduction of *Ireland*, that *England* might not be left unprovided. The King did not refuse the Assistance of *Scotland*, but would have *England* send into *Ireland* the like Number of *English* Forces, on pretense that there was danger of the *Scots* seizing upon *Ireland* when they had subdued the *Irish*. He had found means to gain the Peers to his Side, so that when the Motion was made to the Lords for sending Ten Thousand *Scots* into *Ireland*, they consented to it, provided the same Number of *English* were sent thither also.

The *Scotch* Commissioners complaining by a Memorial, that in four Days they had no positive Answer to their Offers, the *Commons* pressed the Lords to dispatch the Business, declaring that the whole Blame would fall upon them if they neglected it. They farther declared, that unless the *Bill* for *pressing* of Soldiers passed, it was impossible for *England* to raise Troops for this Service. Whereupon the Lords debated the Three following Questions, which were all resolved in the Negative.

Votes of the Peers concerning Ireland. Nalson II. P. 763.

1. Whether this *House* shall consent to send Ten Thousand *Scots* into *Ireland*, before it can be ascertained that Ten Thousand *English* will be sent thither also?

2. Whether this *House* shall consent to send Ten Thousand *Scots* before the *Bill* for *pressing* be passed?

3. Whether this *House* shall join with the *Commons*, in sending now Ten Thousand *Scots* into *Ireland*?

Sharp Answer of the Commons. Ibid. P. 771.

The *Commons* replied to these *Votes* in a Conference, that for the Certainty their Lordships desire of sending Ten Thousand *English* into *Ireland*, the *Commons* were

were not uſed to be capitulated withal: That their Actions are free, as well without Conditions as Capitulations, and deſire it may be ſo no more: That they have already given ſufficient Certainty by a *Vote* communicated to their Lordſhips, and ſee no neceſſity of *voting* it again: That they deſire their Lordſhips would vote the ſending of Ten Thouſand *Scots*, without any Relation to the Ten Thouſand *Engliſh*, and that ſpeedily, the Preſervation of *Ireland* depending upon it: That they have the more Reaſon to deſire this, as the *Engliſh* Troops cannot go unleſs the *Bill* for *preſſing* paſſes. But this was not capable of making the Lords depart from their former Reſolutions. 1641.

The Commons imprison the two Lords ſent from Ireland.

In the mean time, the *Commons*, who had already committed to Priſon the Lords *Coſtelough* and *Taaff*, ſent to the King with Propoſitions about procuring the Peace of *Ireland*, cauſed all their Papers to be examined, from their Diſtruſt with reſpect to the King, and no doubt, in Expectation of finding ſome thing which might do him a Prejudice. *

The King offers to raiſe 10000 *Men.*

At the ſame time the King acquainted the Lords that he would engage to raiſe Ten Thouſand Men for *Ireland* if the *Commons* would promiſe to pay them. But they were far from cloſing with this Propoſition, well-knowing the King meant to grant the Commiſſions, and would give them to ſuch Officers as ſhould be at his Devotion. So the *Commons* choſe rather to hazard the entire Loſs of *Ireland*, than ſend thither Ten Thouſand *Engliſh* in ſuch a Juncture; and the Lords had rather run the Risk of ſeeing all the *Engliſh* chaced out of that Kingdom, than that the *Scots* ſhould have it in their Power to be Maſters of it. The King perfectly knew the Motive of the *Commons*

* The Lord *Dillon* of *Coſtelough* was pitched upon by the *Iriſh* Lords to carry over their Deſires to his Majeſty concerning the Means of quenching the Flames of the Rebellion. Accordingly he embarked in Company with the Lord *Taaff*, and at *Ware* their Papers were ſeized by Directions from the Parliament, and their Perſons committed; but afterwards they found means to eſcape, and waited upon his Majeſty. *Ruſh.* IV. [p. 413.]

1641. *mons* Proceedings, whilſt they were not ignorant that the Lords acted purely by the King's Directions.

A Committee to examine the Cauſe of the Delay of the Aid. Ruſh. IV. p. 466.

Mean time, the Aſſiſtance for *Ireland* being ſtill retarded by theſe Quarrels, the *Commons* appointed a Committee to examine from whence came the Obſtacles that occurred in this Affair. It was really a difficult thing for thoſe who were not acquainted with the ſecret Motives of the King and *Commons*, to know where the Blame lay that *Ireland* was not relieved, ſince they ſeemed equally deſirous a ſpeedy Aid ſhould be ſent thither. The King's Friends ſaid, his Majeſty's Offer to raiſe Ten Thouſand Men, provided the *Commons* would engage to pay them, was a clear Evidence that the Delays did not proceed from him. His Enemies, on the contrary affirmed, that the Refuſal of the Lords, or rather of the King who directed them, to accept of the Aid of Ten Thouſand *Scots*, on a frivolous Pretence, plainly ſhowed that the Obſtacles did not come from the Houſe of *Commons*, ſince they were very ready to promiſe to pay theſe Auxiliaries. For my part, I am of Opinion that both King and *Commons* thought leſs ſeriouſly of aſſiſting *Ireland*, than of turning the Rebellion to their own private Advantage, with regard to the Differences between them. The King wanted the Parliament to ſend a ſtrong Army into *Ireland*, that they might find it more difficult to raiſe Forces in caſe of a Breach with him, of which there was but too much likelihood. The *Commons* on their part had prevailed with the *Scots* to offer Ten Thouſand Men, believing that if they were accepted, they ſhould be freed from the Trouble and Hazard of ſending an *Engliſh* Army into *Ireland*. and if they were refuſed, the Delay of Relief would be imputed to the King.

Remark on this Subject.

Proclamation declaring the Iriſh *to be Rebels and Traitors.* Nalſon II. p. 809. Jan. 1. 1641—2.

However this be, the *Houſe*, upon the Report of the Committee, found that one great Obſtruction of Relief to *Ireland*, was that the *Iriſh* had not been declared Rebels by Proclamation. Wherefore on the 1ſt of *January* 1641--2, the King iſſued out a Proclamation, wherein the *Iriſh* were expreſsly called Traitors

Traitors and Rebels. But there were only forty Copies printed, which were all sent to Secretary *Nicholas*, according to an Order the Printer had received, to this Effect: 1641.

It is the King's Pleasure that you print forty Copies of the Proclamation inclosed, on good Paper, and send them to me, leaving room at the Top for the King's Name, and at the Bottom for the Privy-Seal. His Majesty expressly commands you to print but forty Copies, and not to publish any till you are otherwise ordered.

To the King's Printer. (a)

Signed

Ed. Nicholas.

We shall see hereafter what use the *Commons* made of this Order, of which they had the Original in their Hands, and the King's Answer.

Proceedings of the King and Parliament.

I have already said, that after the King's Return from *Scotland*, the Seeds of Discord between him and the *Commons* began to be sown, which threatned an approaching Rupture. This appeared upon all Occasions, and the mutual Distrust continually increased; but with this Difference, that the *Commons* did not take a single Step but what tended to their End of filling the People with Fears and Jealousies; whereas the King having yet formed no Project, managed according to the present Emergencies, without proposing to himself a fixed and certain End, which was a great Disadvantage to him. Shortly after his Return from *Scotland*, upon notice that there was about to be a tumultuous Concourse of People at *Westminster*, he sent a Writ to the *Sheriff* to set a Guard near the Parliament. The *Commons* took Offence at it, and after some Inquiry to discover that it was done by the King's Order, they dismissed the Guard.

The King sets a Guard near the Parliament. Dec. 8. *The Commons dismiss them.*

Two

(a) *Nalson* has omitted this Order to the Printer, though the King denied it not.

1641. *Proclamation concerning Divine Service.* Dec. 10. Rush. IV. p. 456.

Two Days after the King issued out a Proclamation, strictly commanding that *Divine Service* should be performed in all the Churches of *England* and *Wales*, according to the Laws and Statutes of the Realm. This Proclamation, which indeed contained nothing contrary to Law, was however unseasonable, when the *Commons* publickly showed that in the Laws concerning *Divine Service* there were things repugnant to the Consciences of many People. But the King had the Misfortune to forget sometimes the present Situation of his Affairs, and remember only the State he was formerly in, when his Proclamations met with a ready Compliance. He might easily see that this would be at least of no use, and consequently he should not have published it at such a Juncture. But he gave his Enemies a much greater Advantage against him, in another Affair, which was no small Mortification to him.

Bill for pressing of Soldiers.

The *Commons* had voted, as has been said, that a Body of Troops should be sent into *Ireland*. But as they were extremely jealous of the King, they sought an Expedient to hinder him from having any thing to do in the raising these Forces. They were apprehensive that if these Levies were made in the usual Manner, that is to say, by listing Volunteers, these Troops would be too much at the King's Devotion. This Expedient was to levy Soldiers by way of Compulsion, called in *England* pressing, and to pass an *Act* for that purpose. A *Bill* was accordingly brought in and sent up to the Lords. It is very likely there was some Clause in this *Bill* contrary to the Prerogative Royal, to hinder the King from having any Hand in the raising these Troops. * The King having notice of it, came to the Parliament-House,

* In the Preamble of the *Bill* it was declared, *That the King had in no case but the Invasion from a foreign Power, Authority to press the Freeborn Subject, which could not consist with the Freedom and Liberty of his Person.* Clarend. II. p. 326.

House, and made the following Speech to the *Lords* and *Commons*. 164

My LORDS *and* GENTLEMEN,

The King's Speech to the Parliament. Dec. 14. Rush. IV. p. 457. Nalson II. p. 738.

" THE last time I was in this Place, and the last thing that I recommended unto you was the " Business of *Ireland*; whereby I was in good hope " that I should not have needed again to have put " you in mind of that Business. But still seeing the " slow Proceedings therein, and the daily Dispatches " that I have out of *Ireland*, of the lamentable " Estate of my Protestant Subjects there, I cannot " but again earnestly recommend the Dispatch of that " Expedition unto you; for it is the chief Business " that at this time I take to Heart, and there cannot " almost be any Business that I can have more " care of.

" I might now take up some of your time in ex- " pressing my Detestation of Rebellions in general, " and of this in particular; but knowing that Deeds " and not Declarations must suppress this great Inso- " lency, I do here in a word offer you whatsoever " my Power, Pains or Industry can contribute to this " good and necessary Work of reducing the *Irish* " Nation to their true and wonted Obedience.

" And that nothing may be omitted on my part, " I must here take notice of the *Bill* for pressing of " Soldiers, now depending among you, my Lords; " concerning which, I here declare, that in case it " come so to me, as it may not infringe or diminish " my Prerogative, I will pass it. And further, seeing " there is a Dispute raised, (I being little beholding " to him whosoever at this Time began it) concern- " ing the Bounds of this antient and undoubted " Prerogative; to avoid further Debate at this time, " I offer that the *Bill* may pass with a *Salvo Jure* " both for King and People, leaving such Debates " to a time that may better bear them. If this be " not accepted of, the Fault is not mine that this

" Bill

1641. "Bill pass not, but theirs that refuse so fair an "Offer.

"To conclude, I conjure you by all that is or "can be dear to you or me, that laying aside all "Disputes, you go on chearfully and speedily for the "reducing of *Ireland*."

Though it was pretty evident that in this Speech the King had no manner of Intention to violate the Privilege of Parliament, but that his only Aim was to remove the Obstacles which occurred on account of this *Bill*, both *Houses* were equally offended at it. They appointed a joint Committee to examine the King's Speech, and upon their Report, the *House* of Lords voted, *Nemine Contradicente*,

Votes of the Lords. Nalson II. p. 741.

1. That the Privileges of Parliament were broken by his Majesty's taking notice of the *Bill* for suppressing of Soldiers, being in Agitation in both Houses, and not agreed on.

2. That his Majesty in propounding a Limitation and provisional Clause to be added to the *Bill*, before it was presented unto him by the Consent of both Houses, was a Breach of the Privilege of Parliament.

3. That his Majesty expressing his Displeasure against some Persons, for Matters moved in the Parliament, during the Debate and Preparation of that *Bill*, was a Breach of the Privilege of Parliament.

These *Votes* were also readily passed in the House of *Commons*, after which, both *Houses* united in solemn Declaration, importing, "That his Majesty ought "not to take notice of any Matter in Agitation and "Debate in either Houses of Parliament, but by "their Information and Agreement: And that his "Majesty ought not to propound any Condition, "Provision or Limitation to any Bill or Act in De-"bate, or Preparation in either Houses of Parlia-"ment; or to manifest or declare his Consent or "Dissent, Approbation or Dislike of the same, be-

"fore

Declaration of both Houses. Rush. IV. p. 458. Nalson, II. p. 750.

" fore it be preſented to his Majeſty in due Courſe of " Parliament; and that every particular Member of " either Houſe hath free Liberty of Speech to pro- " pound or debate any Matter according to the Or- " der and Courſe of Parliament: And that his Ma- " jeſty ought not to conceive Diſpleaſure againſt any " Man for ſuch Opinions and Propoſitions as ſhall be " delivered in ſuch Debate, it belonging to the ſeve- " ral Houſes of Parliament reſpectively to judge and " determine ſuch Errors and Offences in Words or " Actions, as ſhall be committed by any of their " Members, in the handling or debating any Matters " depending: And that his Majeſty will be pleaſed to " declare the Authors of this Miſ-information and " evil Counſel." * 1641.

Petition to the King, and his Anſwer. Nalſon II. P. 751, 762.

Purſuant to this Declaration, both *Houſes* preſented to his Majeſty a *Petition* more at large, to which the King returned an Anſwer in writing ſome Days after. The main of his Anſwer was, that he had no Intention to infringe the Privilege of Parliament, and meant only to haſten the Relief of *Ireland*. Both *Houſes* were ſatisfied with this Explanation, and the Buſineſs went no farther. But there remained always a Slur upon the King, for violating the Privilege of Parliament, which was then of great Conſequence. This ſhows that the King had not then about him any very able Counſellors. For if they had perceived the *Commons* Drift, from the time the Parliament met again, they would have been careful not to adviſe the King to take ſo many not only unneceſſary Steps, but

Faults of the King or his Council.

* My Lord *Clarendon* ſays, that when the Clauſe in the *Bill* for preſſing mentioned in the Note above, put a ſtop to the *Bill* in the *Houſe* of Lords, Mr. *Saint John* the King's Sollicitor went privately to his Majeſty, and perſuaded him to go to the Parliament-Houſe, and ſay the very words in his Speech relating to the *Salvo Jure*, as an Expedient to remove the Rubs in the way of the *Iriſh* Affairs. Upon which both Houſes reſolving to do nothing till this manifeſt Breach ſhould be repaired by paſſing the Bill. The King was compelled to paſs it as they had prepared it. Vol. II. p. 327—329.

1641. but such as gave his Enemies great Advantage over him. Of this Nature was the Proclamation concerning *Divine Service* before-mentioned. In the same Rank I place likewise the great Zeal he showed for the Church of *England*, which served only to alienate still farther from him all the Adherents of the *Commons*, and let them see what they were to expect, if he should come to be restored to his former State. In a word, nothing could be more unseasonable than this last Speech to both *Houses*, as if the bare Threat of not passing the *Bill* was enough to awe them, whereas, at least in regard to the *Commons*, it was a very strong Argument to cause them to insist upon their Demand. Besides, the Breach of the Privileges of Parliament must needs have been evident, since there was not a single Member in both *Houses*, but what thought the King had violated the same by what he said and did.

The King removes Balfour *Lieutenant of the Tower*, Rush. IV. p. 459.

Six or Seven Days after, the King gave a fresh Occasion of Complaint, by removing Sir *William Balfour* Lieutenant of the *Tower* from his Place, with whom he had no reason to be pleased, on account of his Evidence concerning the Design of the Earl of *Strafford*'s making his Escape. All the World saw plainly this was the sole Cause of *Balfour*'s Disgrace. But perhaps his Removal would not have been of so ill Consequence to the King, had he not trusted that important Place to Colonel *Lunsford*, known to be a Man of profligate Manners, and fit for any purpose.

and gives his Place to Lunsford;

which raises Suspicions against him.

This Change made the *Commons* believe the King designed to secure the *Tower*, in order to keep the City and Parliament in awe. As their Jealousy of him was exceeding great; and as besides, it is very certain, they sought all Occasions to persuade the People the King had ill Designs, they failed not to make the most of the present one. The same Day *Lunsford* was put in Possession of the *Tower*, a great Number of the Inhabitants of *London*, some of whom were *Common-Council-Men*, presented a *Petition* to the *Lower-House*, setting forth, " That the whole State is deeply inte-

The Petition of several Citizens of London. Rush. IV. p. 459. Nalson II. p. 773.

" rested

" reſſed in the Safe-Cuſtody of the *Tower*, but more 1641.
" eſpecially the City of *London*: That Colonel *Lunſ-*
" *ford* is a Man outlawed, and moſt notorious for
" Outrages, and therefore fit for any dangerous At-
" tempt. For which reaſon the *Petitioners* and many
" more who have Intelligence of his having the Of-
" fice of Lieutenant beſtowed on him, are put into
" ſuch a Height of Fear and Jealouſy, as makes
" them reſtleſs till they have repreſented the ſame to
" the Houſe of *Commons*, humbly deſiring them to
" take this Affair into ſuch Conſideration as may ſe-
" cure both the City and Kingdom."

It cannot be denied that the King had made a very ill Choice in beſtowing this Poſt on *Lunsford*, and that he had thereby given occaſion to Suſpicions to his Diſadvantage. Beſides, it ſeems to be almoſt inexcuſable to give the Command of the *Tower* to a Perſon of ſo ill a Character, at a time when his Enemies loſt no Opportunity to inſpire the People with Suſpicions againſt him. The moſt favourable thing that can be ſaid for the King is, that as there were but few Perſons who were willing to be at his Devotion, for fear of the Indignation of the *Commons*, he thought himſelf obliged to chuſe for Lieutenant of the *Tower* one leſs ſcrupulous, and of a deſperate Fortune, who would depend on him alone, and it was no eaſy matter to find many ſuch.

The Commons deſire the Lords Concurrence for the Removal of Lunsford.

The *Commons* having taken into Conſideration the *Petition* preſented to them, deſired a Conference with the Lords, where they repreſented, " That
" Colonel *Lunsford* is an unfit Perſon for ſo great a
" Truſt, as the Lieutenancy of the *Tower*. But if
" his Majeſty think cauſe that there ſhould be a Lieu-
" tenant of the *Tower*, the ſame being already under
" the Command of the Earl of *Newport*, who is
" Conſtable thereof by his Majeſty's Appointment,
" then that Sir *John Coniers* may be recommended to
" his Majeſty for that Place." The Lords anſwered,
They could not concur with the *Commons* in an Ad-

The Lords refuſe it.

1641. dress to the King to remove Colonel *Lunsford*, because they conceived the same would be an Intrenchment upon his Majesty's Prerogative.

Votes against Lunsford. Rush. IV. p. 460.

The *Commons*, vexed at the Refusal of the Lords, voted *Nemine Contradicente*, "That Colonel *Lunsford* was unfit to be Lieutenant of the *Tower*, as "being a Person the *Commons* could not confide in." At the same time they made a Declaration, setting forth the Occasions they had hitherto had of Fears and Jealousies, as the Conspiracy to seduce the Army, a former Plot of possessing the *Tower*, the *Irish* Rebellion, and the continual Delays and Interruptions they received from the *House* of Peers, by Reason of the great Number of Bishops and *Popish* Lords; and therefore they held themselves bound in Conscience to protest that they were innocent of the Blood which was like to be spilt, and the Confusions which might overwhelm the State, if *Lunsford* were continued in his Charge. Moreover, they hoped that such of the Lords as had the same Apprehensions they had, would take some Course to make the same known to his Majesty. This Declaration being communicated to the Lords, it was resolved by the Majority, that the Debate thereof should be put off till next *Monday*. But two and twenty Lords entered their *Protest* against that *Vote*.

The Commons Declaration, sent to the Lords, who adjourn the Debate of it.

22 Lords protest. Rush. IV. p. 461.

The same Day the *Commons* sent and desired the Earl of *Newport* to reside within the *Tower* as Constable, and to take the Custody of that Place.

The Earl of Newport *desired to reside in the* Tower

Besides the Inhabitants of *London*, whose *Petition* had been the occasion of the *Commons* Declaration, the *Apprentices* had flocked together in great Numbers, and presented a *Petition* to the King, praying him to concur with the *Commons* in rooting out *Papists*, *Innovators*, *Bishops*, as having altogether plotted to subvert the Government, and introduce Popery.

Petition of the Prentices. Rush. IV. p. 462. Nalson, p. 776.

On the Morrow, the 26th of *December*, being *Sunday*, the Lord-Mayor seeing the *Apprentices* coming together again, and knowing they intended to go

The Lord-Mayor informs the King of the Disposition of the People.

on the *Monday* to *Whitehall*, for an Anſwer to their *Petition*, waited upon the King to inform him of it. He repreſented withal, that great Miſchiefs might enſue if *Lunsford* were not removed, adding, the People of *London* were bent upon attempting the *Tower*, to put him out. Whereupon the King that ſame Evening took the Keys from *Lunsford*. But at the ſame time diſcharged the Earl of *Newport* of the Conſtableſhip of the *Tower*. 1641. Ruſh. IV. p. 462.

Lunsford *removed as well as the Earl of* Newport.

The Reaſon, or it may be, the Pretenſe of that Earl's Diſgrace was, that the King had been told, that at a Meeting at *Kenſington*, whilſt he was in *Scotland*, the Earl of *Newport*, upon Diſcourſe of ſome Plots in that Kingdom ſhould ſay, *If there be any ſuch Plot, yet here are his Wife and Children.* But the Earl hearing ſuch a Rumour had reached the Queen, waited upon her Majeſty, and with many Proteſtations aſſured her, that never any ſuch Words were ſpoken, nor the leaſt Thought conceived of any ſuch Thing, with which the Queen ſeemed to reſt ſatisfied. Nevertheleſs, ſeveral Months after, the ſame Day *, Sir *William Balfour* was removed from the Lieutenancy of the *Tower*, the King asked him whether he heard any Debate at *Kenſington*, *about ſeizing upon the Queen and her Children.* The Earl ſtrongly denied it; to which the King replied, *That he was ſorry for his Lordſhip's Memory.* This is what the Earl of *Newport* poſitively affirmed himſelf in the *Houſe* of *Peers*.

Pretenſe againſt Newport.

Ruſh. IV. p. 463.

The Lords being convinced that the King, upon a falſe Rumour, had entertained Suſpicions againſt the Earl of *Newport* *1, took this Matter to Heart, and preſented a *Petition* to the King, praying him

Petition of the Lords. Ruſh. IV. p. 465.

* *Ruſhworth* ſays, the *Friday* before the *Sunday*. p. 463.

*1 Upon the Earl of *Newport*'s Information, the *Houſe* of Lords thinking it to be a Matter of great Conſequence, and becauſe ſome Members of the *Commons* (as being preſent at the Meeting at *Kenſington*) were concerned, had a Conference with them, and deſired them to join with them in ſearching this Buſineſs to the bottom. Whereupon they agreed to concur in a *Petition* to the King, &c. *Ruſh.* IV. *p.* 463.

1641. to declare the Reporter of those Words. The Earl of *Bath* on the 30th of *December*, reported his Majesty's Answer as follows:

The King's Answer. Ibid. p. 465.

" It is true, That I have heard Rumours of some " Proposition that should have been made at *Kensing-* " *ton*, for the seizing of the Persons of my Wife and " Children; and in Things of so high a Nature, it " may be fit for any Prince to enquire, even where " he hath no belief nor perswasion of the Thing; " so I have asked *Newport* some Questions concern- " ing that Business, but far from that way of ex- " pressing a belief of the Thing which *Newport* hath " had the boldness and confidence to affirm; which " I could easily make appear, but that I think it " beneath me, to contest with any particular Per- " son. But let this suffice, That I assure you, I nei- " did nor do give Credit to any such Rumour. As " for telling the Name of him who informed me, I " do stick to the Answer which I gave to your last " Petition upon the like Particular.

What Colour soever the King put upon his Behaviour to the Earl of *Newport*, it plainly appeared that he had picked a Quarrel with that Lord, on purpose to have a Pretense to remove him from the Constableship of the *Tower*, at the very time the *Commons* had desired him to go and reside there. This did not help to cure the Suspicions of the *House* of *Commons*.

New Measures of the Commons.

I have already mentioned the Project the Leaders and Managers of the House of *Commons* had formed against the King, namely, the devesting him of great Part of his Power. To compass this End, it was necessary to free themselves from the Obstacles which incessantly occurred in the House of Peers, where the Bishops and *Popish* Lords were always able, by the Number of their *Voices*, to oppose the Execution of this Design. Hitherto the *Commons* had endeavoured in vain to exclude the Bishops from the *Upper-House*, and

and there was no likelihood that their Sollicitations would have any greater Effect for the Time to come. They must therefore either give over their Project, or take some more effectual Methods to obtain by Force what they were never like to compass by fair Means. I am very sensible, some will take it ill that I positively affirm, the Tumults I am going to speak of, were the Effect of the Practices of the Party against the King, and that several pretend it was all owing to Accident, and the Discontents of the People. The Reader will be able to judge, when he shall have seen what passed in the latter End of the Month of *December*. 1641.

Concourse of People at Westminster.

On *Monday* the 27th of this Month, there was a great Concourse of People at *Westminster*, where they who had presented the *Petition* of the *Londoners*, the Apprentices, and an infinite Number of others, flocked on pretense of waiting for the King's and the Parliament's Answer. Among these Multitudes, many were heard to Cry with all their Force, *No Bishops! No Bishops!* This corresponded to the *Petition* of the Apprentices before-mentioned. The Bishop of *Lincoln* [Dr. *Williams*,] who was just nominated to the *See* of *York*, coming along with the Earl of *Dover* to the House of Peers, and observing a Youth to Cry out louder than the rest against Bishops, stept up to him and laid Hands on him, in order to have him committed to Prison. But the People rescued the Youth, and gathering about the Bishop, hemmed him in that he could not stir, so that he had like to be pressed to Death. But at last, they let him go, crying out as loud as they could, *No Bishops*!

Tumults.

Origin of the Name of Round-head. Rush. V. p. 403.

The same time, three or four Officers, who had served in the late Army against the *Scots*, walking near *Westminister-Hall*, one of them, Captain *David Hide*, drew his Sword, saying, he would cut the Throats of those *Round-headed cropp'd-ear'd Dogs that bawled against the Bishops*. But the other Officers refusing to second him, he was apprehended by the Citizens, and brought before the *House* of *Commons*

1641. and sent to Prison. There is no other known Origin of the Name of *Roundheads*, which from this Time was given to the Parliamentarians *.

Lunsford *and others wound the* Citizens. p. 464.

The same Day Colonel *Lunsford*, with thirty or forty Officers coming through *Westminster-Hall*, and meeting with the Multitudes, drew their Swords and wounded some Twenty Apprentices and Citizens. The News being carried into the City, vast Numbers of Apprentices and others, ran to *Westminster* with Swords, and Staves, which caused a dreadful Uproar both in *London* and *Westminster*. The Lord-Mayor, to prevent any farther Disorders, ordered the City-Gates to be shut, and put the Train-Bands in Arms, whilst on the other Hand, the King commanded some of the Militia of *Middlesex* and *Westminster* to come by Turns and guard his Person.

The Lords try in vain to appease the Tumult. Nalson, II. p. 781. Rush. IV. p. 463.

The Lords seeing so great a Tumult, ordered the Gentleman Usher of the *Black Rod*, to go and command the People to depart to their Homes. But the People answered, they could not do it, because *Lunsford*, with several other Swordsmen, lay in wait for them in *Westminster-Hall*, and had already wounded abundance of People. Whereupon the Lords appointed a Committee to examine what Warrant *Lunsford* and the other Officers had to come to *Westminster*, and likewise what notice had been given to others to come in Multitudes about the Parliament-House. They tried once more to send away the People, but not succeeding, they desired the *Commons* to join with them in publishing a Declaration against Tumults, and in petitioning the King for a Guard. The *Commons* answered, it was now too late, that they had not Time to take this Request into Consideration. Nevertheless, upon Information that some of the People

The Commons *act coldly.* Nalson, II. p. 792.

* The Apprentices it seems wore the Hair of their Head cut round, and the Queen observing out of a Window *Samuel Barnardiston* among them, cryed out: See what a handsome young *Roundhead* is there! And the Name came from thence, and perhaps was first publickly used by Captain *Hide*.

ple were ſent to Priſon, they appointed a Committee to examine by whoſe Authority they were impriſoned, with Power to releaſe them, if it was thought proper. A clear Evidence that this Tumult was not diſagreeable to the *Commons* *. 1641.

On the Morrow, the 28th, the Tumult continued in the ſame manner as the Day before, and the *Commons* made no greater haſte to appeaſe it. On the contrary they adjourned the Debate of the Lords Requeſt till next Day. At laſt, on the 29th, the Populace being again got together, they acquaint the Lords that they are ready to join in all lawful Ways and Means to appeaſe the Tumults, but for printing a Declaration, it was a Matter that would require ſome farther Deliberation *. *The Tumult continues.*

It is very evident that the *Commons* did not deſire theſe Tumults ſhould be ſo ſoon over, eſpecially, if what is ſaid of Mr. *Pym*, one of the leading Members, be true. For it is affirmed, he made anſwer to one that perſwaded him to endeavour to prevent theſe tumultuous Aſſemblies, *God forbid the People ſhould be hindered from obtaining their juſt Deſires.* Indeed the Houſe in a Body cannot be accuſed of taking any Reſolution to encourage theſe Tumults. However it is but too probable, not to ſay certain, that they were cauſed by the Intrigues and Direction of ſome of the Leaders of the oppoſite Party to the King. *Remark on the Proceedings of the* Commons.

To be ſatisfied of this, a Man need only conſider, what was the Poſture of Affairs at the cloſe of the Month of *December* 1641. The Redreſs of *Grievances* was no longer the Point in Hand; that Matter was now compleated without any Oppoſition on the King's Part. He could therefore affirm, that his Conſent to the *Acts* paſſed in this Parliament, was the

* *Cornelius Burgeſs* a *Puritan* Miniſter, uſed to ſay of the Rabble, *Theſe are my Bandogs, I can ſet them on, and I can fetch them off again.*

* This Anſwer to the Lords was on the 28th. *Ruſh.* IV. p. 465.

1641. Effect of his Love for his People, with as much reason as his Enemies could say, that it was owing to Compulsion and Dissimulation. It is certain that after the King's Return from *Scotland*, there were in the Parliament many Members who wished that Matters might be carried no farther, perswaded as they were, that what was already done was sufficient for the Safety of the Kingdom, and prevention of an arbitrary Government for the future. This was the prevailing Opinion in the *House* of Peers, chiefly because of the Bishops and *Popish* Lords, who always made the Ballance incline to the King's Side, when this main Point was directly or indirectly in question.

It was otherwise in the *House* of *Commons*. The greatest part of the Members not contenting themselves with having redressed the *Grievances*, had a Mind moreover to diminish the Royal Authority, and put it out of the King's Power to govern for the future, as he had done before this Parliament. Some acted out of pure Distrust of the King's Sincerity: Others out of fear of being exposed to his Resentment, if he should ever be in a Condition to make them feel the Effects of it. Besides these two Motives, the *Presbyterians* had a Third, namely, the altering the Government of the Church, which they plainly saw they should be never able to Effect, but by putting it out of the King's Power to oppose it. All these Members were united in the Project of depriving the King of good Part of his Authority. But there was a great Difference between them in respect of the Animosity against the King, and the Zeal wherewith they pursued the Execution of their Design. The *Presbyterians* were the most Passionate; whilst the rest who acted only from Motives of Distrust and Jealousy, behaved with less Warmth. They could not without a sort of Remorse, contribute to the throwing of the whole Kingdom into Confusion, upon the Foundation of a bare Distrust or Fear, to which it was impossible to apply any Remedy. This was the Cause of the great Debates in the *House* about

bout the *Remonſtrance of the State of the Kingdom.* Many conſidered it as unneceſſary, and others were for it, becauſe they ſaw no ſurer Means to beget a Rupture between the King and Parliament; a Rupture without which they looked upon themſelves as undone, having no hopes of being able to compaſs their Ends any other way. *Oliver Cromwell*, who as yet made no great Figure in the *Houſe*, told the Lord *Faulkland*, "That if the *Remonſtrance* had been re-"jected, he would have ſold all he had the next "Morning and left the Kingdom." 1641.

After this *Remonſtrance* was preſented to the King, his Enemies loſt no Opportunity to cheriſh the Fears and Jealouſies of the People, in which they had a double View. Firſt, they prepared them thereby for the Change they were meditating, letting them ſee the abſolute Neceſſity of diminiſhing the King's Power. Secondly, by provoking the King, they hoped to engage him to take ſome violent Steps, proper to confirm the Suſpicions they were ſtriving to infuſe into the People, in which they ſucceeded but too well, the King being ſo unfortunate as not to have an able Council about him, who might warn him of the Snares that were laid for him. For all that, they were ſtill very far from their End, by reaſon of the Obſtacles they met with in the Houſe of Peers, where the Biſhops and *Popiſh* Lords broke all their Meaſures.

Probably, this ſort of Contention between the two *Houſes* would have held much longer, if the tumultuous flocking of the *Londoners* about *Weſtminſter* had not come in Seaſon to frighten the Biſhops and *Popiſh* Lords, as we are going to ſee preſently. When therefore a Man finds ſuch Multitudes gathering together at *Weſtminſter*, crying out againſt the Biſhops and *Catholick* Lords, inſulting the Peers of the King's Party, in a Word, acting ſo agreeably to the Deſires and Intentions of the *Commons*, he can hardly help thinking that they were ſtirred up and egged on by ſome of the Members of the *Houſe*; and the rather,

1641. ther, as there can be no other probable Reason assigned of so sudden a Commotion.

As to the Justice of the Project, the *Commons* had formed, to tye up the King's Hands from doing for the future, what he had done for fifteen Years, it is a Question not easily to be decided. The Point is to know, whether at the Time I am speaking of, in restoring the King to all his Rights, there was just Ground to confide in him, without any Fear of his abusing his Power for the future. But there is so much to be said, on both Sides in this Qustion, that the impartial and unbyassed must needs be at a loss, especially as the Business is to know perfectly what the King's Intention was, which is a Thing beyond the reach of human Knowledge. It is therefore upon bare Conjectures that some decide, that after what the King had done this Parliament in favour of his Subjects, it was reasonable to rely on his Word, and that others affirm, it was imprudent to reckon the King's Assent to the *Acts* which had been presented to him, as a Proof of his Intention to govern according to Law, considering this Assent was not altogether voluntary. On this Question ran all the Papers which were published afterwards, either by the King or the Parliament.

The Tumults still continuing about the Parliament-House, and the *Commons* not appearing very forward to appease them, twelve Bishops met at the Archbishop of *York*'s, to consult together about what was to be done. Here by the advice of the Archbishop, they resolved not to go any more to the House of Peers, but to present to the King and the Lords the following Protestation *.

To

* This *Protestation* was penned in heat and haste, by *Williams* Archbishop of *York*, just after the Treatment he had met with from the Apprentices and others, and without delay presented by him to the King, with an humble Desire that his Majesty would send it to the House of Peers, since the Bishops could not do it themselves,

1641.

To the King's most excellent Majesty, and the Lords and Peers, now assembled in Parliament.

The humble *Petition* and *Protestation* of all the Bishops and Prelates now called by his Majesty's Writs to attend the Parliament, and present about *London* and *Westminster* for that Service.

THAT whereas the Petitioners are called up by several and respective Writs, and under great Penalties, to attend in Parliament, and have a clear and indubitate Right to vote in Bills, and other Matters whatsoever, debateable in Parliament, by the antient Customs, Laws and Statutes of this Realm, and ought to be protected by your Majesty, quietly to attend and prosecute that great Service.

They humbly remonstrate and protest before God, your Majesty, and the noble Lords and Peers, now assembled in Parliament, that as they have an indubitate Right to sit and vote in the House of the Lords, so are they (if they may be protected from Force and Violence) most ready and willing to perform their Duties accordingly. And that they do abominate all Actions and Opinions tending to Popery, and the Maintenance thereof; as also all Propension and Inclination to any malignant Party, or any other Side or Party whatsoever, to the which their own Reason and Consciences shall not move them to adhere.

But

themselves, and that he would command, it should be entered into the Journal of the *House* His Majesty just casting his Eye upon it, and believing it drawn by mature Advice, delivered it to the Keeper, who unfortunately happened to be present, commanding him to deliver it to the *House*. Clarend. II. p. 350.

1641. *But whereas they have been at several Times violently menaced, affronted, and assaulted by Multitudes of People, in their coming to perform their Services in that honourable House; and lately chased away, and put in danger of their Lives, and can find no Redress or Protection, upon sundry Complaints made to both Houses in these Particulars.*

They likewise humbly protest before your Majesty, and the noble House of Peers, That saving to themselves all their Rights and Interest of sitting and voting in the House at other times, they dare not sit or vote in the House of Peers, untill your Majesty shall further secure them from all Affronts, Indignities, and Dangers in the Premises.

Lastly, Whereas their Fears are not built upon Phantases and Conceits, but upon such Grounds and Objects, as may well terrify Men of good Resolution, and much Constancy, they do in all Duty and Humility, protest before your Majesty, and the Peers of that most honourable House of Parliament, against all Laws, Orders, Votes, Resolutions and Determinations, as in themselves null, and of no Effect; which in their absence, since the 27th of this instant Month of December 1641, *have already passed; as likewise against all such as shall hereafter pass in that most honourable House, during the time of their forced and violent Absence from the said most honourable House; not denying, but if their absenting themselves were wilful and voluntary, that most honourable House might proceed in all these Premises, their Absence or this their Protestation notwithstanding.*

And humbly beseeching your most excellent Majesty to command the Clerk of that House of Peers, to enter this their Petition and Protestation amongst the Records,

They will ever pray to God to bless and preserve, *&c.*

Joh. Eborac: Tho. Duresme: Rob. Co. & Lich: Jos. Norwich: Jo. Asaphen: Guil. Ba. & Wells, Geo. Hereford, Rob. Oxon, Mat. Ely, Godfr. Glocest. Jo. Peterburg, Morg. Landaff.

It

It muſt be obſerved that among theſe twelve Biſhops, there were nine of the thirteen accuſed by the *Commons*, on account of the *Canons* of the late *Convocation*. 1641.

Remark on the Biſhops Proteſtations.

It is manifeſt, this Proteſtation tended to diſſolve the Parliament, without the King's intermeddling. For if according to the Proteſtation, the Houſe of Peers could do nothing but what in its ſelf was null, without the Concurrence of the Biſhops, it was no leſs certain, that the *Houſe* of *Commons* could do nothing valid without the Concurrence of the Peers; from whence it followed that the Parliament was become of no uſe, or ſuſpended, in the Intention of the Biſhops by this Proteſtation. It appears alſo that the King had the ſame Thought, by his haſte to communicate the Proteſtation to the Lords, probably before his Council had examined it. It is very likely, he imagined, the Lords would eſpouſe the Cauſe of the Biſhops as being according to his Notion, a third Eſtate of Parliament, and that this Affair might occaſion the Diſſolution of the Parliament. But he found the ſame Houſe of Peers that had hitherto been ſo favourable to him, was no longer in the ſame Mind, ſince the Biſhops and *Popiſh* Lords were frightened away by the Tumults. The Majority of Voices being no longer for the King, the Houſe looked upon this Proteſtation with a very different Eye from what the King expected. They deſired a Conference with the *Commons*, where the Lord-Keeper told them in the Name of all the Peers, "That this "Proteſtation containing Matters of dangerous Con- "ſequence, extending to the deep intrenching upon "the fundamental Privileges and Being of Parlia- "ment, the Lords have thought fit to communi- "cate it to the *Commons*, as a Thing of great and "general Concernment." Ruſh. IV. p. 467.

The Commons *accuſe the Biſhops of High-Treaſon.*

The *Commons* had no ſooner received the Report of this Conference, but they immediately reſolved to accuſe the twelve Biſhops of High-Treaſon, for endeavouring to ſubvert the fundamental Laws and Being Ruſh. IV. p. 467. Nalſon, II. p. 769.

1641. ing of Parliaments. This Reſolution ought not to ſeem ſtrange, after having ſeen how the *Commons* ſtood affected to the Biſhops. They took Care not to loſe ſo fair an Opportunity of freeing themſelves from the Obſtacles they continually met with from the Biſhops in the *Upper-Houſe*, and beſides, the Lords ſeemed diſpoſed to come into their Meaſures. So, that very moment, they ſent Mr. *Glyn* to the Houſe of Peers, to accuſe in Form the Twelve Biſhops of High-Treaſon, and to deſire they might be put into Safe-Cuſtody *. Whereupon the Lords ordered the *Black-Rod* to find out and bring the Twelve Biſhops to the Bar of their Houſe, which he did by Eight a-Clock at Night, and Ten of them were committed to the *Tower*, *Moreton* Biſhop of *Durham*, and *Hall* Biſhop of *Coventry* and *Lichfield*, by reaſon of their Age, remaining with the *Black-Rod*.

They are ſent to the Tower.

On the Morrow, the 31ſt of *December*, the *Commons* ſent and deſired the Lords to take into Conſideration the *Bill* that had been ſent up ſome Months ſince for taking away the Biſhops Votes, to which the Lords anſwered, That they would take the ſame into Conſideration in convenient time.

Commons deſire a Guard. Nalſon II. p. 801. Ruſh. IV. p. 471.

The ſame Day the *Commons* ſent a Committee to the King to repreſent to him that the *Houſe* was under terrible Fears and Apprehenſions, by reaſon of a malignant Party, who were continually forming pernicious Projects. Nay, that ſome of them had imbrued their Hands in the Blood of his Subjects at the Gates of his Palace, and in the Face and at the Doors of the Parliament. That therefore they humbly beſought his Majeſty, that they might have a Guard

[out

* The Lord *Clarendon* ſays, the Biſhops Friends took ſo great Offence at this indiſcreet Proteſtation, that though they deſired to preſerve their Function, they had no Compaſſion or Regard of their Perſons, or what became of them; inſomuch as in the whole Debate there was only one Gentleman who ſpoke in their behalf, and ſaid: "He did not believe they were guilty of High-"Treaſon; but that they were ſtark mad, and therefore deſired "they might be ſent to *Bedlam*". Vol. II. p. 355.

[out of the City] commanded by the Earl of *Eſſex*, of whoſe Fidelity there could be no Suſpicion. 1641.

They cauſe Arms to be brought into their Houſe.

As the Populace of *London* were diſperſed, and the Officers ſtill kept about *Weſtminſter*, the *Houſe* was under ſome Apprehenſion of Inſults from theſe Reformadoes, and particularly *Lunsford*, who was a Man fit for any Attempt. So, the King deſiring this Meſſage, which had been delivered by word of Mouth only, might be given him in writing, and not returning an Anſwer the ſame Day, the *Commons* ordered that Thirty or Forty Halberts ſhould be brought into the *Houſe*, to defend themſelves with in caſe of need.

The Inns of Court Gentlemen come and offer to guard the King.

Their Fear was farther increaſed, upon notice that the young Gentlemen of the *Inns of Court* were gathered together, and gone to *Whitehall* to offer their Service to the King, who had received them very graciouſly, and ordered them to be handſomly entertained at Tables provided for them.

The King orders the Lord-Mayor to prevent the Diſorders.

The King for his part was not without Uneaſineſs. He was afraid the tumultuous Aſſemblies of the People would be renewed on *New-Year*'s Day: And therefore ſent Orders to the Common-Council of *London* to take good Meaſures for Prevention of the like Diſorders as had happened the foregoing Days, in which he was punctually obeyed. Ruſh. IV. p. 471.

The Parliament having adjourned from *Friday* till *Monday*, becauſe the Morrow was *New-Year*'s Day (*a*), and next Day *Sunday*, it was the 3d of *January* before the King returned an Anſwer to the *Commons* Meſſage concerning a Guard, which was to this Effect:

" That

(*a*) In *England*, where the *Old Style* is uſed, the Year begins the 25th of *March*. This *Style* is made uſe of in all publick Acts, Deeds, Writings, Hiſtories, and elſewhere. But however, in the Dates, the Difference of the Two *Styles* is ſet down from the 1ſt of *January* to the 25th of *March* in this manner, 164$\frac{1}{2}$, that is to ſay, the Year 1641 according to the *Old*, and the Year 1642 according to the *New Style*. So that the 1ſt of *January* is acknowledged for the 1ſt Day of the Year as in the *New Style*.

1641-2.

The King's Answer concerning the Guard. Nalson V. II. p. 803.

"That it was a great Grief of Heart to him, "to find that the *Commons*, instead of reaping the "Fruits of his Grace and Affection to his People, "should suffer Jealousies, Distrusts and Fears to be "so prevalent among them, as to induce them to "declare them unto him in so high a Measure as they "had done: That he was wholly ignorant of the "Grounds of their Apprehensions; but if he had "any Knowledge or Belief of the least Design in "any, of Violence against them, he would pursue "the Contrivers of it with the same Severity and "Detestation, that he would do the greatest Attempt "upon his Crown. And he engaged solemnly in "the Word of a King, that the Security of all and "and every one of them, from Violence was, and "should ever be as much his Care, as the Preserva-"tion of him and His Children. And if this gene-"ral Assurance could not suffice to remove their "Apprehensions, he would command such a Guard "to wait upon them, as he would be responsible for "to him, who had charged him with the Safety and "Protection of his Subjects."

Before we proceed, it will be necessary to show exactly the Posture of the King's Affairs in the Beginning of the Year 164½. There was in the House of *Commons* a strong Party, who were labouring to rob the King of good part of his Prerogatives, some through Fear or Distrust, others for more hidden Designs. But these last took care not to discover their Intentions. They pretended to act purely from the same Motives of Distrust, whereby the first were swayed, in Expectation of engaging them by Degrees to second them in their Projects. For this Reason they lost no opportunity to inflame this Distrust with regard to the King, by aggravating whatever could be blamed in his Government the Fifteen first Years of his Reign, and by referring all his Actions, since the Beginning of this Parliament, to the

the ſame Principles by which he had ruled before. 1641—2.
In a word, their Aim was to ſhow that the King was ſtill the ſame, and had not altered his Maxims: That his Condeſcenſion for the Parliament was all forced, and full of Diſſimulation: That he only waited for a proper Seaſon to return to his old Courſes, and when once he was reſtored to his Authority, he would uſe it only to be revenged of thoſe whom he thought his Enemies, and to take juſter Meaſures to eſtabliſh an Arbitrary Government.

Indeed as all theſe things depended upon the King's ſecret Intention, they could not be proved with Evidence: but however, ſuch Indications of them were given as ſerved to make Impreſſion on abundance of People. It was obſerved, that the King always talked of his Aſſent to the *Acts* of this Parliament, as being of pure Grace and not of Juſtice; from whence it was eaſy to infer, that he reſerved to himſelf the Power of revoking them when he ſhould find occaſion: That there was but too much reaſon to ſuſpect he had a Hand in the *Iriſh* Rebellion, conſidering in what Juncture of Time it broke out, and the Rebels Declaration that they had the King's and Queen's Authority for what they did: That it was very probable he ſhowed a regard to the *Papiſts*, on purpoſe to make uſe of them on occaſion: That he could not reſolve to execute the Seven Prieſts legally condemned, though both Houſes of Parliament had been very urgent with him to do it: That although he continually promiſed to put the Laws in Execution againſt *Recuſants*, his Promiſes had never been performed; but on the contrary, he truſted *Recuſants* with the moſt important Poſts: That the Conſpiracy to ſeduce the Army plainly enough ſhowed his Deſigns: That very lately he had violated the Privileges of Parliament in ſo evident a Manner, that there was not a ſingle Member in both Houſes but what was perſuaded of the Reality of this Violation: That nevertheleſs, all the Reparation he had made was to anſwer, that he himſelf did not believe

1641—2. he had infringed the Principles of Parliament, nor in any case had ever intended to do so: That upon these Accounts it was absolutely necessary to limit his Authority, and put it out of his Power to govern for the future according to his Pleasure, as he had for Fifteen Years.

These Reasons produced different Effects in the Minds of People, according to the Temper, Understanding and Principles of those to whom they were addressed. To some they appeared too uncertain to ground thereon the Project of diminishing the Regal Power, and consequently of altering the Ecclesiastical Government. Others thought them unanswerable. But there were many Members who wavered between their Distrust with regard to the King, and their Fear of involving the Kingdom in Troubles which might be attended with fatal Consequences, on a doubtful Foundation. These however were easily brought to join in Proceedings which were represented to them as necessary Precautions, without knowing the real Design of them, as for Instance, to consent to the *Bill* for excluding the Bishops. If the Leaders of the *Presbyterian* Party had discovered to them that their Intent was to diminish the Royal Power, to the end they might with the greater Ease establish *Presbyterianism* upon the Ruins of *Episcopacy*, they would never have succeeded. Nay, they would have grown so suspected, that their Credit would have been all forfeited. For it must be observed, that the Heads of the opposite Party to the King, though *Presbyterians* for the most part, had not acted yet as such, but only as zealous Assertors of the People's Rights, and as Enemies to Tyranny, in which the whole Party were perfectly united. When therefore they moved any Thing against the Bishops, they intimated that it was not out of Hatred to *Episcopacy*, but to lessen the Credit of the Bishops which they had abused, in supporting arbitrary Power, and to hinder them from doing so any more. Unluckily, there were Bishops who had given too much Cause of Complaint against them,

them, and by their Behaviour, engaged many *Church-of-England-Men* themſelves to concur with them in the Deſign of limiting the Authority of the whole Body. 1641—2.

Before the Biſhops and *Popiſh* Lords had abſented themſelves from the *Houſe* of Peers, the Party I juſt now mentioned met with inſuperable Obſtacles in that *Houſe*. Nay, after that time, thoſe that remained were not equally engaged in this Party. There were ſtill a good Number of Lords, who, though againſt the King, and extremely jealous of him, could not however be brought to do any thing that ſtruck at the Government of the Church and State, or at leaſt that tended to alter the Conſtitution. So that ever ſince the Parliament met, the *Presbyterians* had yet been only ſtruggling, as I may ſay, with the reſt of the oppoſite Party to the King, to induce them by degrees to concur for the humbling of the Regal Power. They had got the *Remonſtrance* of the State of the Kingdom to be paſſed, ſpread Suſpicions againſt the King about the Rebellion of *Ireland*, and hindered the ſending of an *Engliſh* Army thither. Their Intrigues had bred an exceeding great Diſtruſt concerning the *Popiſh* Party countenanced and protected by the King, and produced mortifying Addreſſes to the King upon the Breach of the Privileges of Parliament, and the Lieutenancy of the *Tower*; tumultuous Aſſemblies of the People at *Weſtminſter*; the Petition for a Guard, as if the Houſe of *Commons* was in great danger from the King's Party: In a word, the Biſhops, their principal Enemies, were in *the Tower*. In all theſe things *Presbyterianiſm* hardly appeared, and if ſome ſuſpected it to be the chief Cauſe of the Troubles, at leaſt, it was no eaſy Matter to prove it.

Notwithſtanding all theſe Advantages, the *Presbyterians* ſtill ſaw themſelves very far from their End. They had Credit enough in the Houſe of *Commons* to have *Votes* paſſed agreeable to the general Deſign of the whole Party: but they themſelves were very ſenſible, that they were not yet ſtrong enough to ven-

1641—2. ture to discover plainly the particular End they were driving at, I mean, the Destruction of the Church of *England*, and the Establishment of *Presbyterianism*. It was necessary before all things to put it out of the King's Power to oppose this their Design. To that Purpose the Members of both *Houses* were to be gained, who still wavered between their Distrust with respect to the King, and the Fear of involving the Kingdom in Troubles, if the altering the Constitution should be attempted. These Members were numerous enough to lay invincible Obstacles in the Way of this Project, by joining with the King's Party. For it must not be imagined, that all those who opposed the King were of the same Character, and proceeded upon the same Principles and Motives. They were united only in this single Point, namely, that Tyranny being equally odious to them, they were alike desirous to be entirely freed from it.

The King orders a Peer and five Commoners to be accused of High-Treason. Rush. IV. p. 473. Nalson II. p. 811.

Things stood in this Posture, when the King by the Lord *Digby*'s Advice, who was then his chief Counsellor, took a Step the most imprudent and most fatal to his Affairs that he could possibly take in such a Juncture. The 3d of *January* 1641-2, Sir *Edward Herbert* Attorney-General coming to the House of Peers, acquainted them that the King had commanded him to accuse of High-Treason the Lord *Kimbolton* (*a*), and five *Commoners*, namely, *Denzil Hollis*, Sir *Arthur Haslerig*, *John Pym*, *John Hambden*, and *William Stroud*. At the same time he delivered the general Articles of Impeachment, which the King had given him with his own Hand; *Viz.*

1. That

(*a*) Son of the Earl of *Manchester*, who was still alive, and this Lord who had been called to the House of Peers by the Title of Lord *Kimbolton*, was himself afterwards Earl of *Manchester*.

1. That they had traiterouſly endeavoured to ſubvert the fundamental Laws and Government of the Kingdom of *England*, to deprive the King of his Royal Power, and to place in Subjects an arbitrary and tyrannical Power over the Lives, Liberties, and Eſtates of his Majeſty's Leige People. 1941-2. *The Articles againſt them.*

2. That they had traiterouſly endeavoured by many foul Aſperſions upon his Majeſty and his Government, to alienate the Affections of his People, and to make his Majeſty odious unto them.

3. That they had endeavoured to draw his Majeſty's late Army to Diſobedience to his Majeſty's command, and to ſide with them in their traiterous Deſigns.

4. That they had traiterouſly invited and encouraged a Foreign Power to invade his Majeſty's Kingdom of *England*.

5. That they had traiterouſly endeavoured to ſubvert the Rights, and the very Being of Parliaments.

6. That for the compleating of their traiterous Deſigns, they had endeavoured, ſo far as in them lay, by Force and Terror to compel the Parliament to join with them in their traiterous Deſigns; and to that end had actually raiſed and countenanced Tumults againſt the King and Parliament.

7. That they had traiterouſly conſpired to levy, and actually had levied, War againſt the King.

Then Mr. Attorney ſaid, That he was further charged to deſire on his Majeſty's behalf:

1. That a ſelect Committee under a command of Secreſie may be appointed to take the Examination of ſuch Witneſſes as the King will produce in this Buſineſs, as formerly hath been done in Caſes of like Nature, according to the Juſtice of this Houſe.

2. Liberty to add and alter, if there ſhould be Cauſe.

1641-2. 3. That their Lordships would take Care for the securing of the Persons as in Justice there should be Cause.

Considerations on this Step of the King's. It is very hard to conceive what the King's Aim could be in this uncommon Accusation, and what he could expect from it, considering the Difficulties which presented themselves in Crouds, and which it was hardly possible not to foresee.

In the first Place, the King demanded Justice of the Lords against five Members of the House of *Commons*, the Parliament sitting, which was a very manifest Irregularity, since the Peers were not the proper Judges of the Members of the *Lower-House*, whilst the Parliament was sitting, without the Consent of that *House*, which the King could not be ignorant of. Consequently they had no Power to commit the five Members. To what Purpose then was it to desire it?

Secondly, In this Accusation the King fell upon five Members of the *Commons*, who were the Leading-Men in that *House*. How then could he expect, as Matters stood, that the *Commons* would deliver up their Leaders, on pretense of a general Accusation which descended not to any Particulars?

Thirdly, The King, when he accused these five Members, properly accused the whole House of Treason, as it was easy to perceive by the bare reading of the Articles.

Lastly, How could he expect that the Parliament who had presented the *Scots* with three Hundred Thousand Pound, as a Reward for their brotherly Assistance, would consider as High-Treason, the having invited them into the Kingdom, supposing he had been able to make good what he advanced?

All this shows the King had been ill-advised when he took this Business in Hand at such a Juncture. Accordingly there is not one Historian, even among those that are the most devoted to him, but what owns

owns at leaſt, that it was a moſt imprudent and unſeaſonable Step. 1641-2.

The Peers examine the Regularity of the King's Proceedings. Ruſh. IV. p. 474.

After the reading of the Articles of Accuſation, the Lord *Kimbolton* ſtood up and prayed, that as he had a publick Charge, he might have a publick Clearing. But the Peers proceeded not with ſuch ſpeed as the King expected. The firſt Thing they did, was to appoint a Committee to examine the Regularity of this Proceedings, and to ſearch for Precedents and Records, whether there ever had been any ſuch Thing before, and whether an Accuſation againſt a *Peer* might be brought into their *Houſe* by the Attorney-General. As to the Accuſation againſt the five *Commoners*, they did not ſo much as take it into Conſideration, whether they ſhould receive it, but contented themſelves with acquainting that *Houſe* that ſome of their Members were accuſed of High-Treaſon by the Attorney-General.

The Papers, &c. of the Parties accuſed are ſealed up by the King. The Commons *take off the Seals. Order of the* Commons. Nalſon. II. p. 813.

At the ſame Time the *Commons* were informed, that ſeveral Perſons * were at Mr. *Hollis*'s and Mr. *Pym*'s, ſealing up their Trunks, Doors, and Papers. The ſame Thing was done in the Houſes of the three other Parties accuſed. Whereupon the *Commons* ordered their Serjeant to go and break open the Seals, and apprehended thoſe that put them on. Moreover they paſſed an Order, " that if *any Perſons whatever* " ſhould come to the Lodgings of any Member of " the Houſe, and there offer to ſeal the Doors, " Trunks, or Papers, that then ſuch Member ſhould " require the Aſſiſtance of the Conſtable to keep " ſuch Perſons in ſafe Cuſtody till the Houſe ſhould " give further Order. That if any Perſon ſhould " offer to arreſt or detain any Member without firſt " acquainting the Houſe therewith, it was lawful for " ſuch Member to ſtand upon his Guard of Defence " and for any Perſon to aſſiſt him, according to the

* Sir *William Flemming*, Sir *William Killigrew*, and other Gentlemen. *Ruſh.* IV. p. 476.

1641-2. "Proteſtation taken to defend the Privileges of Par-
"liament.

Conference between the two Houſes. Nalſon. Ibid.

Preſently after, the *Commons* repreſented to the Lords in a Conference, that the King had ordered the Trunks, Chambers, and Studies of ſeveral of their Members to be ſealed up, and had ſet a Guard in a warlike manner at *White-Hall*. And therefore they deſired that ſuch a Guard might be placed about the Parliament alſo as ſhould be approved of by both Houſes, or elſe to join with them to adjourn to a Place of Safety. During this Conference a Serjeant at Arms came to the Houſe of *Commons* from the King, and required the five Members, accuſed by his Majeſty. The Serjeant being ordered to withdraw, the *Commons* appointed ſome of their Members to wait upon the King, and acquaint him, "That his "Meſſage was a Matter of great Conſequence, that "it concerns the Privilege of Parliament, and of "all the Commons of *England*: That they will take "it into Conſideration, and attend his Majeſty with "an Anſwer, with as much ſpeed as the Greatneſs "of the Buſineſs will permit: And in the mean "time the five Members ſhall be ready to anſwer "any legal Charge made againſt them." Then they diſmiſſed the Serjeant who had brought the Meſſage. At the ſame time they enjoined the five Members to give their Attendance every Day on the Houſe.

The King ſends and demands the five Members. Ruſh IV. *p.* 475.

The Parties accuſed are ordered to attend daily on the Houſe.

Mean while, the Peers had made an Order to open the Doors and Trunks of the Members of both *Houſes* which were ſealed, and reſolved to join with the *Commons* in a Petition to the King for ſuch a Guard as both Houſes ſhould approve of. They had ordered moreover, that two of their Body, together with ſome Members of the *Commons*, ſhould go and repreſent to the King, that the Privileges of Parliament had been violated.

Reſolution of the Peers agreeable to the Commons Requeſt.

Report of the King's Anſwer.

The next Morning, *January* the 4th, the Lord *Falkland* reported the King's Anſwer to the Meſſage of the *Commons* concerning the Breach of Privilege.

He

He ſaid, the King asked him whether the *Houſe* did expect an Anſwer? and before the Lord *Falkland* replied, told him, he would ſend an Anſwer to Morrow as ſoon as the *Houſe* was ſet. In the mean time he bid him acquaint the Houſe that the Serjeant had done nothing but what he had Directions from himſelf to do. 1641-2.

Demand of the Commons to the Lords.

Preſently after this Report, the *Commons* ſent and deſired a Conference with the Lords, in order to acquaint them that there was a *ſcandalous Paper* publiſhed, containing *Articles of High-Treaſon againſt the Lord* Kimbolton, *&c.* and to deſire that they would concur in puniſhing the Authors and Publiſhers thereof.

The Gentlemen of the Inns *of Court examined.* Ruſh. IV. p. 476.

Then the Gentlemen of the *Inns of Court*, who offered themſelves to be a Guard to his Majeſty, were ſent to and examined upon a Rumour that they were bid to be in a readineſs the 4th of *January*. Thoſe of *Lincoln's-Inn* anſwered, "That laſt Week they "went to *Whitehall* to offer their Service to the King, "upon hearing that his Perſon was in Danger. That "Yeſter-Night, they had received a Meſſage from "his Majeſty by Sir *William Killigrew* and Sir *Willi-*"*am Flemming*, that they ſhould keep within to "Morrow, and be ready at an Hour's Warning if "the King ſhould have occaſion to uſe them. That "they brought to them likewiſe a Paper of Articles "of Accuſation againſt the Lord *Kimbolton* and five "Members of the Houſe of *Commons*. That they "had only an Intent to defend the King's Perſon, and "would do their utmoſt alſo to defend the Parliament; being not able to make any Diſtinction between the King and his Parliament." The Gentlemen of the other *Inns* anſwered to the ſame Effect *.

In

* Only thoſe of the *Middle-Temple* ſent their Anſwer in Writing, in which they ſaid, *That their Intention to defend the King's Perſon was no more than they were bound unto by the Oath of Allegiance.* Ruſh. IV. p. 477.

1641-2. *The King himself goes to the House of* Commons. Ibid. p. 477.

In the Afternoon the five accuſed Members came into the Houſe according as they had been enjoined. They were no ſooner ſat in their Places, but one Captain *Langriſh* ſent in Word that the King was coming with a Guard of military Men, Commanders and Soldiers *. As there was room to believe that the King intended to ſeize the five Members, they were ordered forthwith to depart the Houſe. They were hardly gone out when the King appeared, and as he paſſed up towards the *Chair*, he ſaid to the Speaker, *By your leave*, Mr. Speaker, *I muſt borrow your Chair a little.* When he was in the Chair he looked round to ſee if he could diſcern any of the five Members; after which he made the following Speech to the *Houſe*, his Guard waiting at the Door without.

GENTLEMEN,

The King's Speech to the Houſe of Commons. Ruſh IV. p. 477. Nalſon, II. p. 820.

I Am ſorry for this Occaſion of coming unto you: Yeſterday I ſent a Serjeant at Arms upon a very important Occaſion, to apprehend ſome that by my Command were accuſed of High-Treaſon; whereunto I did expect Obedience, and not a Meſſage. And I muſt declare unto you here, that albeit no King that ever was in England, *ſhall be more careful of your Privileges, to maintain them to the utmoſt of his Power, than I ſhall be; yet you muſt know that in Caſes of Treaſon, no Perſon hath a Privilege. And therefore I am come to know if any of theſe Perſons that were accuſed are here: For I muſt tell you, Gentlemen, that ſo long as theſe Perſons that I have accuſed (for no ſlight Crime, but for Treaſon) are here, I cannot expect that this Houſe will be in the*

* A certain Member had alſo private Intimation from the Counteſs of *Carliſle*, Siſter to the Earl of *Northumberland*, that Endeavours would be uſed this Day to apprehend the five Members. The Lord *Clarendon* ſays, it was generally believed that the King's Purpoſe of going to the *Houſe* was communicated to *William Murray* of the Bed-Chamber, by the Lord *Digby*, and that it was diſcovered by the ſaid *Murray*. II. p. 359.

the Right way that I do heartily wiſh it : Therefore I am come to tell you, that I muſt have them whereſoever I find them. Well, ſince I ſee all the Birds are flown, I do expect them from you, that you ſhall ſend them unto me, as ſoon as they return hither. But I aſſure you, on the Word of a King, I never did intend any Force, but I ſhall proceed againſt them in a legal and fair way, for I never meant any other. 1641-2.

And now ſince I ſee I cannot do what I came for, I think this no unfit Occaſion to what I have ſaid formerly, That whatſoever I have done in favour, and to the good of my Subjects, I do mean to maintain it.

I will trouble you no more, but tell you I do expect as ſoon as they come to the Houſe, you will ſend them to me ; otherwiſe I muſt take my own Courſe to find them.

The Houſe adjourns.

The King was no ſooner gone, but many Members cried out aloud, ſo as he might hear them, *Privilege ! Privilege !* and forthwith the *Houſe* adjourned till the next Day at one a Clock.

Vote that th King had violated the Privileges of Parliament.

The Commons *appoint a Committee to ſit at* Guild-Hall. Ruſh. IV. p. 479.

The *Commons* aſſembling on the Morrow, the 5th of *January*, at the appointed Hour, immediately voted, that the King had violated the Privileges of the Houſe, and that they could not ſit any longer there, without a full Vindication of ſo high a Breach, and a Guard for the Safety of their Perſons. Then it was reſolved to adjourn till the 11th of the ſame Month, and a Committee of Twenty-four was appointed, during the Adjournment to ſit at *Guild-Hall*, and to conſider of all Things concerning the Good and Safety of the City and Kingdom, and particularly, how their Privileges might be ſecured. The Committee for the *Iriſh* Affairs was ordered likewiſe to ſit at the ſame Place during the Adjournment *. That done, a Meſſage was ſent to the Lords, to acquaint them with what had paſſed the Day before, with their Adjournment

* It was the ſame Committee of Twenty-four, who had Power to conſider of the Affairs and Relief of *Ireland*. *Ruſh.* IV. p. 479.

1641-2. journment and Committee appointed to ſit at *Guild-Hall.*

The King goes to the Common-Council of London. The ſame Day the King came to *Guild-Hall*, having ordered the Lord-Mayor to aſſemble the Common-Council. As he paſſed along the Streets, he had the Mortification to hear People crying out, *Privileges of Parliament! Privileges of Parliament!* Nay, one *Henry Walker* [an Ironmonger and Pamphleteer,] was ſo inſolent as to throw into his Coach a Paper, wherein was written, *To your Tents, O Iſrael.* His Majeſty being come to *Guild-Hall*, made the following Speech to the Common-Council.

GENTLEMEN,

The King's Speech to the Common-Council. Ruſh. IV. P. 479.

I Am come to demand ſuch Perſons as I have already accuſed of High-Treaſon, and do believe are ſhrowded in the City. I hope no good Man will keep them from me; their Offences are Treaſon, and Miſdemeanours of an high Nature. I deſire your loving Aſſiſtance herein, that they may be brought to a legal Tryal.

And whereas there are divers Suſpicions raiſed, that I am a Favourer of the Popiſh Religion; I do profeſs, in the Name of a King, that I did and ever will, and that to the utmoſt of my Power, be a Proſecuter of all ſuch as ſhall any ways oppoſe the Laws and Statutes of this Kingdom, either Papiſts or Separatiſts; and not only ſo, but will maintain and defend that true Proteſtant Religion which my Father did profeſs, and I will continue in it during my Life.

Remark on this Speech. The King ſeems to have forgot how his Affairs then ſtood, and to imagine he was in the ſame State as before the War with *Scotland.* Certainly he could not be ignorant that the City of *London* was not very well affected to him, neither had reaſon to be ſo. He believed however they would eſpouſe his Cauſe againſt the Parliament, and deliver up the five Members, which was not at all likely. On the other Hand, he could be ſtill leſs ignorant that it was chiefly

chiefly in *London* that the *Presbyterians* were numerous and powerful, and yet he affected to ſay, that he would maintain and defend the Proteſtant Religion which the King his Father had profeſſed, and proſecute to the utmoſt of his Power *Separatiſts* as well as *Papiſts*. I own I cannot ſee the Neceſſity or Benefit of ſuch a Declaration before the Common-Council of a City, much more inclined to *Presbyterianiſm* than to the *Church of England*, as it manifeſtly appeared ſhortly after. 1641-2.

The Committee is very buſy.

Mean while, the Committee which ſat at *Guild-Hall*, were diligently taking Informations of what paſſed the 4th of *January*, and preparing Matters for their Report to the *Houſe* againſt their Meeting. The Committee was informed that Sir *John Biron*, who was made Lieutenant of the *Tower*, in the room of *Lunsford*, had ſent to *Whitehall* one Hundred Arms, and two Barrels of Powder. *Ruſhworth*, who relates this Particular, affirms, that the Matter being farther inquired into, was found to be true. But I cannot tell whether we may give entire Credit to his Teſtimony, though what he ſays is not improbable. Ruſh. IV. p. 480.

Petition of the City of London. Ruſh. IV. p. 480. Nalſon, II. p. 841.

On the 7th, the City of *London* preſented a Petition to the King, which plainly ſhowed they were more inclined to the Parliament than to him. They repreſented their great Fears and Diſtractions, by reaſon of the Progreſs of the Rebels in *Ireland*, fomented by the Papiſts in *England*, and their Adherents: The want of Aid to ſuppreſs them, and the Intimations received from Abroad and at Home, of a Deſign to extirpate the Proteſtants: The putting out Perſons of Honour and Truſt from being Conſtable and Lieutenant of the *Tower*: The Preparations there lately made, the fortifying *White-Hall* in an unuſual manner: The Endeavours uſed to the *Inns of Court*: The calling in divers Cannoneers into the *Tower*: The Diſcovery of divers Fire-Works in the Hands of a Papiſt: The Miſunderſtanding betwixt his Majeſty and Parliament, by reaſon of Miſinformation: His Majeſty's late going to the Houſe of

1641 2. of *Commons*, attended with a great Multitude of armed Men, beſides his ordinary Guard, for the apprehending of divers Members, contrary to the Privileges of Parliament.

This Petition was very capable of letting the King ſee how much he was miſtaken in his Opinion, that the City of *London* ſtood well affected to him. He returned however a very mild Anſwer to each of the Articles, to this Effect.

The King's Anſwer. Ruſh. IV. P. 481.

" That as for the Buſineſs of *Ireland*, there was " nothing on his part unoffered or undone; and he " hoped by the ſpeedy Advice and Aſſiſtance of his " Parliament, that great and neceſſary Work would " be put in a ſure Forwardneſs, to which he would " contribute all his Power.

" For the *Tower*; He wondred, that having re- " moved a Servant of good Truſt and Reputation " from that Charge, only to ſatisfy the Fears of the " City, and put in another of unqueſtionable Repu- " tation and known Ability, the Petitioners ſhould " ſtill entertain thoſe Fears: And whatever Prepa- " rations were there made, it was with as great an " Eye of Safety and Advantage to the City as to his " own Perſon.

" For the *fortifying of Whitehall* with Men and Mu- " nition; he doubted not but the Petitioners had ob- " ſerved the ſtrange Provocation he had received to " entertain that Guard; and if any Citizens were " wounded or ill treated, he was confidently aſſured, " that it happened by their own evil and corrupt " Demeanors.

" That he knew no other Endeavours to the *Inns* " *of Court* than a gracious Intention, that he re- " ceived the tender of their loyal and dutiful Affec- " tions, with very good Approbation and Accep- " tance, and an Encouragement given them to con- " tinue the ſame upon all Occaſions.

" For

" For his going to the *House of Commons*; he was 1641-2.
" verily perſuaded, that if the Petitioners knew the
" clear Grounds upon which thoſe Perſons ſtood ac-
" cuſed of High-Treaſon, they would believe his
" going thither was an Act of Grace and Favour to
" that Houſe, and the moſt peaceable way of having
" that neceſſary Service, for the Apprehenſion of
" thoſe Perſons, performed; eſpecially if ſuch Or-
" ders had been made, which he was not willing to
" believe, for the Reſiſtance of all lawful Authority
" as were diſcourſed of. And for the *Proceedings*
" againſt thoſe Perſons, he ever intended the ſame
" ſhould be with all Juſtice and Favour, according
" to the Laws of the Realm.

He concluded with theſe words, " And this ex-
" traordinary way of ſatisfying a Petition of ſo un-
" uſual a Nature, his Majeſty is confidently perſua-
" ded will be thought the greateſt Inſtance can be
" given of his Majeſty's clear Intentions to his Sub-
" jects, and of the ſingular Eſtimation he hath of
" the good Affections of this City, which he be-
" lieves in Gratitude will never be wanting to his juſt
" Commands and Service."

On the Morrow, the 8th of *January*, the King pub- Jan 8.
liſhed a Proclamation, commanding all Magiſtrates *Proclamation to apprehend the five Members.*
and Officers of Juſtice to apprehend the accuſed
Members, and carry them to *the Tower*.

Whilſt the Committee was aſſembled at *Guild-Hall*, Ruſh. IV.
they took the Information of two Witneſſes, who p. 482.
depoſed, That they heard Captain *Hide* ſay things
which ſhowed he had ſome ill Deſign againſt the
Houſe of *Commons*.

Then it was reſolved, that the Sheriffs of *London* *Reſolutions of the Committee*
and *Middleſex* ſhould raiſe the *Poſſe Comitatus* for their
ſafe-coming to *Weſtminſter*, the Day the Parliament
ſhould meet again. Whereupon the Watermen came
and tendered their Service to guard the Committee by
Water to the Parliament-Houſe, which was accepted
of

1641-2. of. But the Offer of the Apprentices to accompany them by Land was refuſed.

Reſolutions of the Committee

Mean while, the Committee of Twenty-four having appointed a Sub-Committee to examine the Affairs in Hand, they made their Report, *January* the 10th, of what Reſolutions had been taken; namely,

Ruſh. IV. p. 483.

That the publiſhing ſeveral Articles of High-Treaſon againſt the Lord *Kimbolton* and the Five Members of the Houſe of *Commons*, was a high Breach of the Privileges of Parliament, a ſeditious Act tending to the Subverſion of the Peace of the Kingdom.

That the Privileges of Parliament, ſo violated and broken, could not be fully and ſufficiently vindicated, unleſs his Majeſty would be pleaſed to diſcover the Names of thoſe Perſons who adviſed him to ſeal the Chambers and Studies of the accuſed Members, to ſend a Serjeant at Arms to the Houſe of *Commons* to demand them; to iſſue Warrants under his own Hand to apprehend them; to come in Perſon to the *Houſe*, to publiſh the Articles of Accuſation in the Form of a Proclamation, to the End ſuch pernicious Counſellors might receive condign Puniſhment.

The King retires from London.

Ruſh IV. p. 484.

The Committee of Twenty-four reſolving to return on the Morrow to the Parliament with a numerous Guard, the King thought fit to avoid the Hazard of receiving ſome Affront from the Populace. And therefore choſe to withdraw to *Hampton-Court*, and two Days after to *Windſor*.

The Committee return to the Houſe.

January the 11th the *Commons* being aſſembled at *Weſtminſter*, the Committee of Twenty-four came thither by Water, conducted by great Numbers of Seamen and others, whilſt the Train'd-Bands of *London* marched through the City in Arms, to guard them alſo by Land.

The King repents of his Proceedings.

Then it was that the King found he had taken wrong Meaſures, and that his imprudent Proceedings could not but grievouſly vex him and ruin his Affairs. He repented of what he had done, and wiſhed he could appeaſe the Diſorder himſelf had raiſed. To this end

end the next Day, *January* the 12th, he ſent the following Meſſage to both *Houſes*: 1641-2.

His Majeſty taking notice that ſome conceive it diſputable whether his Proceedings againſt the Lord Kimbolton, *Mr.* Hollis, *Sir* Arthur Haſlerig, *Mr.* Pym, *Mr.* Hampden, *and Mr.* Strode, *be legal and agreeable to the Privileges of Parliament; and being very deſirous to give Satisfaction to all Men in all Matters that may ſeem to have relation to Privilege, is pleaſed to wave his former Proceedings, and all Doubts by this means being ſettled, when the Minds of Men are compoſed, his Majeſty will proceed thereupon in an unqueſtionable way, and aſſures his Parliament, that upon all Occaſions he will be as careful of their Privileges as of his Life or his Crown.*

The King's Meſſage to both Houſes, Ruſh. IV. p. 484. *He deſiſts from his Method of Proceeding*

Had there not been a ſettled Deſign againſt the King, this Meſſage would have been capable to pacify All, ſince he plainly ſhowed that he repented of what he had done, and in ſome Meaſure confeſſed his Fault. But he had given too great a Handle againſt him for his Enemies to neglect to make the moſt of this Advantage. I have obſerved that abundance of the Members in both *Houſes* were not yet determined to join with thoſe who ſought only to throw all Things into Diſorder and Confuſion. Some began to diſcover what the *Presbyterians* were driving at. Others had Doubts and Scruples which they could not well get over, when they conſidered that the Deſtruction of the Kingdom would be endangered by a bare Diſtruſt which could not be well-grounded. But the Doubts they had before, were changed into Certainty, after what the King had lately done. Before the Accuſation of the Six Members, it was doubtful whether the King thought of being revenged of thoſe who had offended him: But this Accuſation rendered this Intention very probable. It was doubtful whether his Condeſcenſion for the Parliament was conſtrained: But this Accuſation diſcovered that he

Conſiderations on the imprudent Accuſation of the five Members in reſpect to the Time.

1641 2. believed himself robbed of his lawful Authority, and that he considered what the Parliament had done with respect to himself, as High-Treason. For if the depriving him of Part of his Authority was Treason, they who had given their Votes for Triennial Parliaments, and the Continuance of this, could not be innocent. If the endeavouring to render the King odious to his People was Treason, certainly the six Members were not the only guilty Persons. If the inviting the *Scotch* Army to come into *England* was Treason, how could the House of *Commons* clear themselves, after having rewarded the *Scots* for their Invasion, with a Present of three Hundred Thousand Pounds? If it was Treason to endeavour to subvert the Rights, and the very Being of Parliaments, both Houses were guilty of this Crime, when they assumed by an *Act*, the Power of not being dissolved or prorogued without their own Consent, since this was altering the Nature of Parliaments. If raising Tumults was Treason, the countenancing and encouraging these same Tumults was no less so, and of this the whole House of *Commons* was guilty. In short, the Charge against these particular Members for conspiring to levy, and for actually levying War against the King, necessarily struck at the whole House, who had countenanced the tumultuous Assemblies, set themselves a Guard, and provided themselves with Arms.

These Things put those upon considering, who till then had preserved some Kindness for the King, and entertained favourable Thoughts of him. They plainly saw what Judgment the King passed upon the Actions of the Parliament, though he attacked but six Members. The shallow Artifice of throwing upon a few the Fault of the whole *House*, had taken effect with regard to former Parliaments, whilst the King was Master. But it would not do with the present Parliament, and at such a Juncture. After past Grievances were redressed, the Business was to know whether the King's Word was to be relied upon

on, and he reſtored to his natural State. Many were of this Mind, not being able to imagine, that after all that had paſſed in this Parliament, the King would endeavour to govern for the future as he had done before. They could not reſolve, from a bear Motive of Fear and Diſtruſt, to make any Alteration in the Conſtitution of the Government, by abridging the King's Power. Others maintained that the King's Condeſcenſion was all Diſſimulation, and no Truſt to be put in his Word. Theſe Men, to bring over the reſt to their Opinion, were forced to uſe ſundry Artifices, to aggravate the King's Actions, and put an ill Conſtruction upon them, and for all that they had not yet been able to compaſs their Ends. But by the Accuſation of the ſix Members, the King himſelf ſupplied them with Arguments which were not eaſy to be anſwered. They had no more occaſion to make uſe of Signs and Conjectures to prove what they advanced, ſince the King gave them himſelf ſuch evident Proofs. So, we may ſay, the King never followed more pernicious Advice than that which was given him to proceed in the manner he had lately done. If the Lord *Digby*, as it is ſaid, adviſed him to it, one may affirm that he threw him into a Gulf from whence it was not poſſible for him ever to extricate himſelf. 1641-2.

From that time, the Queſtion was not to know whether it was neceſſary to diminiſh the regal Power, but to know within what Bounds it ſhould be confined, they who had hitherto been moſt moderate, having entirely loſt the Doubt they were under touching the King's Sincerity. So the Party which was moſt againſt him, being grown much the ſtrongeſt in the two *Houſes*, and hardly meeting any Oppoſition, they who were deſirous to do the King Service, thought it ſafeſt for them either to abſent themſelves from the Parliament, or to keep ſilence, in Expectation of an Opportunity to ſerve him effectually, if Affairs ſhould take a new Turn, and by that the oppoſite Party grew ſtill more powerful.

1641-2. It is evident then, that in the present Temper and Disposition of the Parliament, the King's late Message was not a sufficient Means to oblige his Enemies to alter their Measures. Especially as by this Message he did not depart from the Accusation, but only from the Manner of Proceeding, though it was easy to perceive that he took this Method only to come off with the less Dishonour. Accordingly the *Commons* did not much regard it. *January* the 17th they came to the like Resolutions with those taken by the Committee in *London*, and reduced them into the Form of a Declaration. They only added, the Depositions of some Witnesses concerning the Number of armed Men, who attended the King when he came to the *House*, and who according to these Depositions were about Five Hundred: Concerning the insolent Behaviour of some of the Officers who accompanied his Majesty: And concerning the Words they used at the Door of the House, which seemed to denote that they waited only for the Word to fall upon the Members. There is no question but all these Things were highly aggravated: However, these Exaggerations were subservient to the End the *Commons* designed. They declared nevertheless, that they meant not to screen their Members when they should be accused of Treason or Misdemeanour, and prosecuted according to Law and the Privileges of Parliament: On the contrary, they should be always ready to bring them to a speedy and due Tryal; being sensible, that it equally imported them as well to see Justice done against Criminals, as to defend the just Rights and Liberties of the Subjects and Parliament of *England*.

Declaration of the Commons. Rush. IV. p. 484.

Before this Declaration was published, the King had sent the following Message to the two *Houses*, which was a clear Evidence how desirous he was of giving them content, and ending this unlucky Affair:

His

1641-2.

His Majeſty being no leſs tender of the Privileges of Parliament, and thinking himſelf no leſs concerned that they be not broken, and that they be aſſerted and vindicated whenſoever they are ſo, than the Parliament itſelf, hath thought fit to add to his laſt Meſſage this Profeſſion, That in all his Proceedings againſt the Lord Kimbolton, *and the reſt of the accuſed Members, he had never the leaſt Intention of violating the leaſt Privilege of Parliament: And in caſe any doubt of Breach of Privilege remains, will be willing to clear that, and aſſert thoſe by any reaſonable way that his Parliament ſhall adviſe him to; upon Confidence of which, he no way doubts his Parliament will forthwith lay by all Jealouſies, and apply themſelves to the Publick and preſſing Affairs, and eſpecially to thoſe of* Ireland, *wherein the Good of this Kingdom and the true Religion (which ſhall ever be his Majeſty's firſt Care) are ſo highly and ſo nearly concerned. And his Majeſty aſſures himſelf, that his Care of their Privileges will encreaſe their Tenderneſs of his lawful Prerogative, which are ſo neceſſary to the mutual Defence of each other; and both which will be the Foundation of a perpetual perfect Intelligence between his Majeſty and Parliament, and of the Happineſs and Proſperity of his People.*

The King's 2d Meſſage to the Parliament. Jan. 14. Ruſh. IV. p. 488. Nalſon, II. p. 858.

This Meſſage was not capable of ſatisfying the *Commons*. I have ſhown the Reaſon above. On the contrary, the next Day they cauſed Sir *Edward Herbert* the Attorney-General to be examined at the Bar of the Houſe of Lords. His Anſwers being ſent to the *Commons*, they ordered him to be accuſed of ſeveral high Crimes and Miſdemeanors, that is to ſay, of having violated the Privileges of Parliament, in exhibiting to the Houſe of Lords the Articles which he received from the King's own Hand with an expreſs Command to exhibit them.

The Commons impeach the Attorney-General. Ruſh. IV. p. 489.

Two Days after, both *Houſes* petitioned his Majeſty that they might be informed what Proof there was againſt the Six Members, to the end they might

Petition that the King would ſhow what Proof there was againſt the ſix Members. Jan. 21

1641 2. *The King's Answer.* Rush IV. p. 491, Jan. 24.

ſpeedily be proceeded againſt. The King anſwered, that he thought it unuſual or unfit to diſcover what Proof was againſt them, before he was certain of the way he was to proceed, leaſt a new Miſtake ſhould breed more Delays. That it ſhould be reſolved therefore, whether his Majeſty was bound in reſpect of Privilege, to proceed againſt them by Impeachment in Parliament; or whether he was at Liberty to prefer an Indictment at common Law, in the uſual Way, or have his Choice of either.

The Parliament inſiſt upon their Demand. Feb. 2. Rush. IV. p. 492.

This Anſwer could not but perplex the two *Houſes*, ſince the King was very willing to follow their Directions in the Proſecution of the Six Members. Wherefore they thought not proper to reſolve upon either of the Ways the King propoſed. They contented themſelves with replying in a ſecond Petition, that finding there was ſtill no legal and parliamentary Proceedings againſt the accuſed Members, they thought it their Duty once again to beſeech his Majeſty to inform the Parliament what Proof there was againſt them, that they might be called to a legal Tryal, it being the undoubted Right and Privilege of Parliament, *that no Member can be proceeded againſt without the Conſent of Parliament.*

The King plainly perceiving there would be no end, and that new Difficulties would be perpetually ſtarted, endeavoured to put a Determination to the Buſineſs at once by the following Anſwer.

The King's 3d Meſſage. Rush. IV. p. 492.

That as he once conceived that he had Ground enough to accuſe them, ſo now his Majeſty finds as good Cauſe wholly to deſert any Proſecution of them. And for a further Teſtimony of his Majeſty's real Intention towards all his loving Subjects, (ſome of whom haply may be involved in ſome unknowing and unwilling Errors) for the better compoſing and ſettling of all Fears and Jealouſies of what kind ſoever, his Majeſty is ready to grant as free and general a Pardon for the full Contentment of all his loving Subjects, as ſhall by the Approbation of both Houſes of Parliament be thought convenient for that purpoſe.

1641-2.

It was not difficult to perceive that the King offered this general Pardon only that it might be ſaid, that the Six Members were exempted from the Rigour of the Law purely by virtue of the Pardon. But the Parliament not ſatisfied with the King's Offer, addreſſed a Third Petition to him, deſiring that according to two *Acts* made in the 37th and 38th Years of the Reign of *Edward* III*, his Majeſty would be pleaſed to ſend the Perſons that had made Suggeſtion or Information to him of the Crimes of the Six Members to the Parliament, that ſo the Rights and Privileges of Parliament might be vindicated, which of Juſtice ought not to be denied.

Parliament requires the Perſons who adviſed the King. Ruſh. IV. p. 492. Feb. 14.

The King returning no Anſwer to this Petition, the Buſineſs reſted here, except that in *April* following, the Houſe of Peers gave Sentence againſt the Attorney General, declaring him uncapable of all Offices, ſaving that of Attorney-General, and committing him to the Priſon of the *Fleet* during the Pleaſure of the *Houſe*.

Sentence upon the Attorney-General. April 23.

Though this Affair ſeemed to be at an End, the King was however upbraided with it afterwards a Thouſand times. But before I finiſh it entirely, I believe it will not be amiſs to make ſome Remarks on this Subject, that I may not be obliged to reſume it hereafter.

Though the *Commons* made a great Noiſe about the Breach of their Privileges, that was not the Thing which moſt incenſed them. Their great Grievance was, that the King had picked out, to accuſe of High-Treaſon, five Members of the Houſe, who were the chief Leaders and Directors. So that to

Remarks on the Conduct of the Commons.

* By theſe Acts it was enacted that, "If any Perſon whatſoever make Suggeſtion to the King himſelf of any Crime committed by another, the ſame Perſon ought to be ſent with the Suggeſtion before the Chancellor or Keeper of the Great Seal, the Treaſurer or the Great Council, there to find Surety to purſue his Suggeſtion; which if he cannot prove, he is to be impriſoned till he hath ſatisfied the Party accuſed of his Damages and Slander, and made Fine and Ranſom to the King". *Rapin* by abridging this Paragraph too much has rendered it obſcure.

1641-2. accuſe theſe five Members, was to accuſe the whole Houſe, as I obſerved before. Now if the King did believe the Houſe guilty of Treaſon for having done what he accuſed but five Members of, what Aſſurance could there be that he would religiouſly obſerve his Promiſes, which, in his Opinion, were extorted from him by Traitors? There was reaſon then to ſuſpect that the King had ſome grand Deſign, and before the Execution thereof, was willing to make ſure of thoſe who were moſt capable to croſs it, as well by their Abilities as by their great Credit in the Parliament and with the People. This is the Impreſſion which this unſeaſonable Accuſation immediately made on the Minds of the Parliament. And to this contributed ſtill farther the King's Zeal to ſeize the five Members, which he carried to that Height as to come in Perſon to the Houſe of *Commons* to apprehend them, a Thing no King of *England* had ever done before him. Nay, it is very likely that had they been in the *Houſe*, and made any Reſiſtance, he would have carried them away by Force, with the Help of the armed Men who attended him to the Number of about Five Hundred. This was enough to incenſe againſt him thoſe who had hitherto conſidered as a doubtful Point, whether his Promiſes were to be relied upon. It could not be conceived, that at a time when the moderate Members began to unite in his Favour, in order to eſtabliſh a ſolid Peace, he ſhould run into an Action ſo odious, and ſo obſtructive of it, had he not intended to ſubdue the Parliament by Force. Thus the Complaints of both *Houſes* about the Breach of their Privileges was properly only a Pretence to hide the true Reaſon of their Fears. As this Reaſon was not of ſufficient Evidence to convince the People who could look upon it but as a bare Suſpicion, they inſiſted only upon their Privileges, till they ſhould be able to engage the King to declare himſelf more openly. Their real Aim was therefore to oblige the King to take ſome new Step, that might let the People ſee it was

not

not without Ground that the King was accuſed of having ill Deſigns. This certainly was the Motive of the Parliament's Petition, to be informed of the Proofs before the Way of proceeding ſhould be reſolved. This was a Snare laid for the King, to induce him to bring forth the Proof of a Crime, whereof the whole Parliament was no leſs guilty than the Members accuſed, and by that the People would have been convinced, that he ſtruck at the Parliament itſelf. But the King avoided the Snare, by giving over the Proſecution rather than be obliged to produce Proofs which muſt have been prejudicial to him, after miſſing his Aim. It was not the Breach of Privilege, but the King's Intention that was the main Point in queſtion. By his late Proceedings he had given occaſion to think a Rupture between him and the Parliament was at Hand, ſince he had deſtroyed the mutual Truſt and Confidence on which alone Peace and a good Underſtanding could be built. In this light muſt the Accuſation of the Six Members be viewed, and not as a ſeparate Fact relating only to the Privileges of Parliament. 1641-2.

It is therefore very little to the purpoſe, in my Opinion, that ſome have undertaken carefully to debate this Queſtion, Whether the two *Houſes* could lawfully refuſe ſending to Priſon their Members accuſed of High-Treaſon? However, I ſhall briefly touch upon this Point for the Reader's Information.

It is certain that the Privileges of Parliament do not reach to Crimes of High-Treaſon; in ſuch Caſes the *Commons* have no more Right than the *Peers*. But however, it is an undoubted Maxim, that no Member can be proceeded againſt without the Conſent of his *Houſe*. When a Peer is accuſed, it is the Buſineſs of the Houſe of Lords to examine whether the Proſecution ought to be conſented to, and in caſe of Conſent, whether the Party accuſed is to be confined or left free to anſwer to the Accuſation. The Lords are determined to one or other, by the Nature

1641-2. or Circumstances of the Crime. It is just the same with respect to the Members of the *Lower-House*. In the present Case, the *Commons* thought there was no Reason to send the Members accused to Prison, because the Accusation was too general. The King affirmed on the contrary, that upon a bare Accusation, under Colour that it was for High-Treason, he had Power to apprehend the accused, without the Consent of their *House*, and to commit them to the *Tower*. It is easy to perceive, that the King carried this Principle a little too far, *that the Privileges of Parliament take not Place in Cases of High-Treason*, since he stretched it to a bare Accusation of Treason. But a bare Accusation cannot deprive the Houses of Parliament, of the Right to examine if there be Ground to consent to the Prosecution, whether by direct Proof, probable Signs, or publick Evidence. Otherwise, the King might have pitched upon, not only five, but a Hundred Members of the *Lower-House*, and sent them to Prison upon the bare Accusation of Treason, which would render the Privileges of Parliament of no Effect. Nevertheless the King acted as if his Right had been undeniable, though it was at least the very Point in Question. I shall not take upon me to clear this Matter any farther, it being clogged with Difficulties, the Solution whereof depends upon the Knowledge of the Laws and Customs of *England*. I shall only add, that the King did himself a very great Injury by this unseasonable Step, and that his Enemies took such Advantage of it, as helped in the End to bring on his Ruin.

The Commons very much mistrust the King's Sincerity.

Whilst the Business of the accused Members was in Hand, the *Commons* did not cease to express an extreme Distrust towards the King. This Distrust daily increased, till at last it produced an entire Rupture.

Byron refuses to be examined by the Commons. Nalson, II. p. 845.

January the 12th, the *Commons* sent an Order to Sir *John Byron*, Lieutenant of the *Tower*, to come and answer to such Questions as should be put to him, concerning the Arms and Ammunition sent to

Whitehall

Whitehall the ſame Day the King came to the Houſe of *Commons*. But he excuſed himſelf for that he had the King's expreſs Warrant not to go out of the *Tower*. 1641-2.

The King had returned in Anſwer to the Petition of both Houſes about a Guard, that he would appoint one or two Hundred Men out of the Trained-bands of the City (ſuch as the Lord-Mayor ſhould be anſwerable for to him) under the Command of the Earl of *Lindſey*. But the *Commons* refuſed this Offer, and ordered that two Companies of the Trained-bands ſhould every Day attend upon the Houſe as a Guard, under the Command of Serjeant Major *Skippon*. *Commons appoint themſelves a Guard.* Ruſh. IV. p. 495.

The Parliament's Diſtruſt towards the King was daily inflamed by Accidents, which fell out one after another, and of which the King's Enemies knew how to make the moſt. Whilſt Matters were in this Poſture, the Parliament received Information that the Lord *Digby*, Colonel *Lunsford*, and other disbanded Officers were at *Kingſton* upon *Thames*, with about two Hundred Horſe. Whereupon it was ordered by both *Houſes*, that the Sheriffs, calling to their Aſſiſtance the Trained-bands of the ſeveral Counties of *England* and *Wales*, ſhould ſuppreſs all unlawful Aſſemblies gathered together to the Diſturbance of the Peace of the Kingdom. They were afraid the King had a Deſign to ſecure *Portſmouth*, and it may be, their Fears were not groundleſs. However that be, they ſent an Order to Colonel *Goring* Governour of *Portſmouth* requiring him not to deliver up the Town, nor receive any Forces into it, but by his Majeſty's Authority ſignified by both Houſes of Parliament. At the ſame time the Lords ſent an expreſs Order to the Lord *Digby* to give his Attendance in the Houſe. But he thought fit to withdraw out of the Kingdom. There had now been Information that he was the Perſon that adviſed the King to accuſe the Six Members of Parliament. Beſides, the *Commons* were exaſperated againſt him, on account of his *Aſſembly of Officers at* Kingſton. Jan. 12. Nalſon, II. p. 846 Ruſh IV. p. 495. *The Lord* Digby *goes out of the Kingdom.*

Speech

1641-2. Speech againſt the *Bill of Attainder* of the Earl of *Strafford*, whilſt he was Member of that Houſe; ſo that the leaſt Pretenſe was ſufficient to draw their Reſentment upon him.

The *Commons* made great Noiſe in the Kingdom to perſwade the People his Majeſty intended to ſecure *Portſmouth*. Nay, they cauſed ſeveral Witneſſes to be examined upon that Head; but the Buſineſs was carried no farther. They were contented with ſending for Admiral *Pennington*, who reported that the Lord *Digby* had ſhown him an Order under the King's own Hand, to convey him ſafely into *France* or *Holland*, and that he durſt not diſobey the Order.

Rush. IV. p. 503.

The Commons *ſend* Hotham *to ſecure* Hull. Jan. 11. Rush. IV. p. 496.

The Parliament's Fears about *Portſmouth* made them think of *Hull*, a very important Place in the County of *York*. The *Commons*, far from hiding their Fears, ſtudied rather to make them known. And therefore they ſent a Meſſage to the Lords, that there was at *Hull* a Magazine of Arms for ſixteen Thouſand Men, and Ammunition proportionable. That the Town being weakly garriſoned [and the adjacent Country full of Papiſts and ill-affected Perſons] they deſired their Concurrence in an Order that ſome of the Trained-bands of *Yorkſhire* ſhould be put into *Hull*, under the Command of Sir *John Hotham*, Member of the Houſe of *Commons*, with Orders not to deliver up the Place, or Magazine, without the King's Authority ſignified by both *Houſes*. To this the Lords readily conſenting, young *Hotham*, Son to Sir *John*, was ſent immediately to *Hull* to execute this Order, till his Father ſhould be ready to go and take the Government of that Place.

Nothing is a clearer Evidence of the Parliament's Diſtruſt, than this Order about *Hull*, ſeeing it could not be but upon the Suppoſition of an urgent Neceſſity, that they could pretend to place Governours in the Towns, and it was alſo this Neceſſity that they had a mind to inſinuate to the People. However, the Sequel ſhows the Parliament had reaſon to take this Precaution.

After

After the Accuſation of the Six Members ſcarce a Day paſſed but the Parliament expreſſed their Suſpicions againſt the King, inſomuch that every Thing manifeſtly tended to a Rupture. The better to perſwade the People that the two Houſes were apprehenſive of ſome Violence from the King, and did not think themſelves ſafe at *Weſtminſter*, a *Bill* was paſſed to enable them to adjourn to any Place they pleaſed. 1641-2. *Bill for the Parliament's Adjournment to any other Place.*

They ordered likewiſe the Earl of *Newport*, Maſter of the *Ordnance*, and Lieutenant of the *Tower*, not to ſuffer any Cannon or Ammunition to be carried from thence. And for the better Safe-guard of the *Tower*, the Sheriffs of *London* and *Middleſex* were ordered to ſet a ſufficient Guard both by Land Water about it, to hinder any Thing from being conveyed out. The ſame Day the *Commons* cauſed ſome great Saddles to be ſeized that were to be ſent to *Kingſton*. *A Guard ſet about the* Tower Ruſh. IV. p. 496.

Moreover, Mr. *Bagſhaw* of *Windſor*, Member of the Houſe of *Commons*, informed them, that laſt Night as he was going to *Windſor* (where the King then was) he ſaw divers Troops of Horſe, and that there came a Waggon loaded with Ammunition thither, and that another Waggon loaded with the ſame, was ſent from thence to *Portſmouth*. Adding, there were at *Windſor* four Hundred Horſe, with about forty Officers. Whereupon *Skippon* was ordered to detach ſome Horſemen towards *Windſor* to get Intelligence. But in all Appearance there was no Diſcovery of any Moment made, ſince the Thing was no farther mentioned. *Falſe Information given to the Houſe.* Ruſh. IV. P. 497.

After that the *Commons* deſired the Lords to join with them in a Petition to the King, for the Removal of Sir *John Byron* from the Lieutenancy of the *Tower*, and offered their Reaſons. But the Lords thought fit to decline it. *The Lords decline petitioning againſt* Byron. Ruſh. IV. P. 497. Jan. 15.

Mean while, the Lords being informed by the Earl of *Eſſex*, that the King had laid his Commands upon him and the Earl of *Holland*, to attend his Majeſty *The Peers forbid* Eſſex *and* Holland *to go to the King.* Nalſon, II. p 836. Ruſh IV. p. 497.

1641-2. jesty at *Hampton-Court* as Lord-Chamberlain, and Groom of the *Stole*, they would not dispense with their Absence, alledging that their Attendance in Parliament about the high Affairs of the Realm was truer Service to his Majesty, than any they might do him at Court. The King soon after removed both these Lords from their Places.

Difference between the two Houses about the Scotch *Succours.* Rush. IV. p. 498.

During these Differences between the King and Parliament, *Ireland* remained unassisted. The *Commons* would not pay ten Thousand Men, who should be levied by the King's Commissions. They pretended that these Troops should be raised by way of *pressing*, in order to chuse such for Soldiers as should be least attached to the King, and that the King should have no Hand in the Levies. The *Bill* for *pressing* had been sent up to the Lords, who had not yet passed it, of which the *Commons* very much complained. At last the *Scotch* Commissioners seeing that the Differences between the King and Parliament retarded the Conclusion of the Treaty for which they were sent, bethought themselves of offering their Mediation to the King and both Houses, to procure an Accommodation. But the King was offended at their Offer, because they had not first cummunicated their Intentions to him in private. The two Houses on the contrary, thanked them for this Mark of their Affection.

The Scotch *Commissioners offer their Mediation.*

The King rejects it.

The Parliament accepts it.

The Scots *send 2500 Men into* Ireland.

Mean while, the Committee for the *Irish* Affairs finding that Kingdom stood in need of a speedy Assistance, and no likelihood that the Treaty for the ten Thousand *Scots* could be concluded soon enough, made a fresh Proposal to the *Scotch* Commissioners. Which was, that the *Scots* should send into *Ireland* two Thousand five Hundred Men, who were all ready, till the Treaty for the ten Thousand should be ended; to which the Commissioners of *Scotland* agreed. To that purpose they propounded certain Conditions, which were approved by both Houses. But the King objected to one of the Conditions, which was, that *Carrick-Fergus*, a Sea-port Town in the North of *Ireland*

land, ſhould be put into the Hands of the *Scots*. He ſaid, it was too great a Truſt for Auxiliary Forces. Nevertheleſs, ſeeing the Parliament willing to confide in the *Scots*, he thought he ſhould not ſhow leſs Truſt in his native Subjects. It muſt be obſerved, that the King and *Commons* expreſſed an equal Deſire to aſſiſt *Ireland*, but each would have it done his own way. The King wanted to have an *Engliſh* Army ſent thither, and blamed the *Commons* for not haſtening the Levies. The *Commons* on their Side, ſuſpected that the King's Aim was to leave *England* unprovided of Men, Arms and Ammunition. And therefore they inſiſted upon the Treaty of *Scotland* for ten Thouſand Men, and charged the King with being the ſole Cauſe of the Obſtacles which occurred in the Concluſion of the Treaty. Nay, they plainly hinted that although the King ſeemed to preſs the Relief of *Ireland*, he had no real intent that Kingdom ſhould be relieved. Neceſſity however obliged the King and both Houſes to accept at length of the two Thouſand five Hundred *Scots*, who were ſent into the North of *Ireland*, where they did good Service. 1641-2.

Different Aims of the King and Parliament with regard to Ireland.

The *Commons* ceaſed not to ſhow openly their Diſtruſt with regard to the King. This was abſolutely neceſſary for the Execution of the Deſigns of thoſe who then had the chief Management of the Affairs of the Houſe. But it does not follow, becauſe it was neceſſary publickly to make known this Diſtruſt, that therefore it was not real. The leading Men of this Party did not believe indeed they had reaſon to truſt the King, and withal it was their Intereſt to let the Publick ſee the Grounds of their Diſtruſt. This is what they did in a ſolemn manner, by means of a Speech ſpoken by Mr. *Pym* at a Conference with the Lords. This Speech deſerves to be inſerted at length, becauſe it ſhows by what Steps the *Commons* endeavoured to compaſs their Ends :

Remark on the Commons Diſtruſt.

My

My LORDS,

Mr. Pym's Speech to the Lords. Rush. IV. p. 503.

I Am commanded by the Knights, Citizens, and Burgesses, assembled for the Commons in Parliament, to present to your Lordships divers Petitions, which they have received from several Parts concerning the State of the Kingdom: Whereunto they are moved by that constant Affection which they have always expressed of maintaining a firm Union and good Correspondence with your Lordships; wherein they have ever found much Advantage, and Contentment; but never held it more important and necessary, than at this Time, wherein the Wisdom and Resolution of Parliament have as many great Dangers and Difficulties to pass through, as ever heretofore.

We are united in the publick Trust, which is derived from the Commonwealth, in the common Duty and Obligation whereby God doth bind us to the Discharge of that Trust; and the Commons desire to impart it to your Lordships, whatsoever Information or Intelligence, whatsoever Incouragement or Assistance they have received from those several Countries which they represent, that so we may be united in the same Intentions and Endeavours of Improving all to the Service of his Majesty, and the common Good of the Kingdom.

The Petitions which I am directed to communicate to your Lordships, are four; from London, Middlesex, Essex, *and* Hertfordshire. *We have received many more, but it would take up too much Time, and be too great a trouble to peruse all: And in these four, you may perceive the Effect and Sense of all: First, I am to desire your Lordships to hear them read, and then I shall peruse my Instructions in propounding some Observations out of them.*

The

The PETITION *of the* LORD-MAYOR *and* ALDERMEN *of* London.

Sheweth,

" THAT the Committee of this Honourable " Houſe upon *Saturday* the 22d of this Inſtant " *January*, ſent a Meſſage to the Petitioners for the " Loan of *One Hundred Thouſand Pounds*, or of ſo " much thereof as could conveniently be forthwith " raiſed, for levying of Forces to ſuppreſs the Re- " bels in *Ireland*: To which Meſſage ſomething was " then anſwered, and a further Anſwer in Writing " promiſed.

" In Performance whereof they humbly preſent " the Anſwer following, together with the Reaſon " thereof, deſiring that the ſame (being the beſt that " for the preſent they are able to give) may favour- " ably be accepted."

As this Anſwer is very long, and contains ſeveral Particulars not abſolutely neceſſary, I ſhall content my ſelf with inſerting here what is moſt material.

" That how ſenſible ſoever they were of the great " Miſeries of their Brethren in *Ireland*, and of the " imminent Danger, not only of the total Loſs of " that Kingdom, but of the Ruin of this alſo, if that " of *Ireland* ſhould be loſt; yet they are compelled " to declare, *That they have no Power to raiſe any* " *Sums by way of Tax for any Foreign Uſe*; and that " they have no Means to do it, otherwiſe than by " the immediate perſonal Conſent of every particu- " lar Lender, which they cannot hope to obtain, in " regard of theſe *Obſtructions* following.

" 1. That immediately before the Parliament, " and ſince, divers great Sums for the Service of the " King and Kingdom have been already lent by the " Citizens of *London*, beſides 50,000 *l.* for the Sup- " ply of *Ireland* in particular; a great part where- " of ſome of the Lenders were compelled to borrow, " and cannot to this Day repay.

" 2. That ſuch part of thoſe Moneys as ſhould " have been repaid out of the Poll-Money and Sub- " ſides, is not yet done.

" 3. That the ſaid Sum of fifty Thouſand Pounds " lent for *Ireland* was haſtened and ſpeedily paid, upon " account of the urgent Neceſſities of that King- " dom; and yet no conſiderable Forces are ſent " thither to this Day.

" 4. The general with-holding of very great " Sums of Money from the Petitioners and many " others, doth render divers Perſons of good E- " ſtates and Credit, hardly able to go on with " Trade, or to pay their Debts, and maintain their " Charge.

" 5. The refuſing to accept the Offers of *Scotland* " to ſend ten Thouſand Men into *Ireland*, diſcou- " rageth moſt Men from lending any Money, were " they never ſo able.

" 6. The not paſſing the *Bill* for *preſſing of Sol-* " *diers*, puts many Men into Fears, that there may " be ſome Deſign rather to loſe *Ireland*, and to con- " ſume this Kingdom in the loſing of *Ireland*, than " to preſerve either the one or the other; for that it " cannot be conceived, that the Rebels (being " grown ſo powerful) will be ſuppreſſed by Volun- " teers (*a*).

" 7. The

(*a*) They would inſinuate by this, that an Army raiſed in the uſual manner by the King's Commiſſions, would be very unfit to reduce *Ireland*, becauſe the King did not wiſh the Rebels to be ſubdued.

" 7. The ſlow iſſuing of Commiſſions to thoſe 1641—2.
" who being in *Ireland*, or going thither, are willing
" to enter the Field againſt the Rebels, diſables them
" from doing any effectual Execution upon the Ene-
" my, unleſs in their own Defence; and ſo all the
" Moneys that have been, or may be ſent thither,
" are exhauſted to maintain our Forces to do little
" or nothing worthy of them, rather than employed
" to chaſtiſe the Rebels: By means whereof thoſe
" Rebels are ſo much emboldened, that they boaſt
" they will extirpate the *Britiſh* Nation there, and
" then make *England* the Seat of War.

" 8. The not diſarming of *Papiſts* here in *Eng-*
" *land*, after many Diſcoveries of their Treache-
" ries and bloody Deſigns; the great Decays of
" Fortifications, Block-houſes, and other Sea-forts;
" the not managing of them, nor furniſhing them
" with Ordnance and Ammunition; the not placing
" all of them in ſuch Hands in whom the Parliament
" may confide; and the not ſettling this Kingdom in
" a Poſture of Defence, in times of ſo many Fears
" and Jealouſies of foreign Invaſions and inteſtine
" Conſpiracies; the not removing the preſent Lieu-
" tenant of the *Tower*, and putting ſuch a Perſon
" into that Place, as may be well approved of by
" the Parliament, notwithſtanding the earneſt Peti-
" tions exhibited to the Houſe of Commons for
" that purpoſe, which hath produced a Forbearance
" to bring Bullion into the *Tower*, in this time of
" Scarcity of Moneys; all which cannot but over-
" throw Trading more and more, and make Mo-
" neys yet more ſcarce in the City and Kingdom.

" 9. The King's Ships are not fitted and em-
" ployed as the preſent Condition of this Kingdom
" and *Ireland* requires, but ſome of them for con-
" veying away of Delinquents. *(a)*

(a) They mean the Lord *Digby*.

1641—2. " 10. The not queſtioning thoſe many Thouſands " of unknown Perſons who are ſheltered in *Covent-* " *Garden*, and thereabouts, which do not employ " themſelves in any lawful Calling, and it's very pro- " bable lie in a Readineſs to adventure upon ſome " deſperate Attempt.

" 11. The Miſunderſtanding between the King " and the Parliament, the not vindicating the Pri- " vileges of Parliament, the not ſuppreſſing of Pro- " tections, the not puniſhing of Delinquents, and " the not executing of all Prieſts and Jeſuits legally " condemned, while others contrary to Privilege of " Parliament have been charged with Treaſon.

" 12. By means of the Premiſſes there is ſuch " Decay of Trading, and ſuch Scarcity of Money, as " it is likely in very ſhort time to caſt innumerable " Multitudes of poor Artificers into ſuch a Depth " of Poverty and Extremity, as may enforce them " upon ſome dangerous and deſperate Attempts.

" Theſe are the Evils under which the Petitioners " do exceedingly labour and languiſh, which they " humbly conceive to have ſprung from the em- " ploying of ill-affected Perſons in Places of Truſt " and Honour in the State, and near to the ſacred " Perſon of his Majeſty; and that theſe Evils are " ſtill continued by means of the *Votes* of *Biſhops* and " *Popiſh Lords* in the Houſe of Peers ".

Ruſh. IV. p. 506. The Petitioners of the County of *Eſſex* thanked the *Commons* for their extraordinary Care, repreſenting to them withal, that they were ſtill apprehenſive of a *great Stop of Reformation in Matters of Religion*, and of the whole Kingdom's being in great Danger from the *Papiſts:* nor could they expect any redreſs, unleſs the Biſhops and *Popiſh* Lords were removed out of the Houſe of *Peers*.

Ibid. p. 507. The Petitioners of the County of *Hertford* prayed that the Papiſts might be [fully] diſarmed; the Kingdom put into a Poſture of Defence; the Forts and ſtrong Places committed to ſuch Hands as the

Parliament

Parliament might confide in; the Privileges of Parliament repaired; Endeavours uſed to take away the Votes of *Popiſh* Lords and Biſhops; *Ireland* ſpeedily relieved; *Delinquents* brought to further Puniſhment; Preſſures and Grievances in Church and State removed; and whatever ſhould be amiſs reformed. 1641-2.

Theſe Petitions being read, Mr. *Pym* went on with his Speech in this manner:

My LORDS,

"IN theſe Four Petitions you may hear the Voice, "or rather the Cry of all *England*, and you cannot wonder if the Urgency, the Extremity of the "Condition wherein we are, do produce ſome Earneſtneſs and Vehemency of Expreſſion more than "ordinary; the Agony, Terror and Perplexity in "which the Kingdom labours is univerſal, all Parts "are affected with it; and therefore in theſe, you "may obſerve the Groans and miſerable Complaints "of all. Divers Reaſons may be given why thoſe "Diſeaſes which are epidemical are more dangerous "than others: The Cauſe of ſuch Diſeaſes is univerſal and ſupernatural, not from an evil Conſtitution, or evil Diet, or any other Accident; and "ſuch Cauſes work with more Vigour and Efficacy "than thoſe which are particular and inferior. 2. In "ſuch Diſeaſes there is a communicative Quality, "whereby the Malignity of them is multiplied and "enforced. 3. They have a converting, tranſforming Power, that turns other Diſeaſes and evil "Affections of Mens Bodies into their own Nature.

"The common and epidemical Diſeaſe wherein "this Commonwealth lies now gaſping, hath a ſuperior and univerſal Cauſe from the evil Counſels "and Deſigns of thoſe, who under his Majeſty bear "the greateſt Sway in Government. 2. It hath a "contagious and infectious Quality, whereby it is "diffuſed and diſperſt through all the Parts of the "Kingdom. 3. It is apt to take in the Diſcontents,

1641—2. " evil Affections and Deſigns of particular Perſons " to encreaſe and fortify itſelf.

" I ſhall take occaſion from ſeveral Branches of " theſe Petitions which your Lordſhips have heard, " to obſerve:

" 1. The variety of Dangers to which this King- " dom is now ſubject.

" 2. The manifold Diſtempers which are the Cauſe " of thoſe Dangers.

" 3. The multiplicity of thoſe evil Influences, " which are the Cauſes of thoſe Diſtempers.

" The firſt Danger is from Enemies Abroad: " This may ſeem a cauſeleſs and impertinent Obſer- " vation at this Time, ſeeing we are at Peace with " all Nations about us: But (my Lords) you may " be pleaſed to conſider, that the Safety of the " Kingdom ought not to depend upon the Will and " Diſpoſition of our Neighbours, but upon our own " Strength and Proviſion: Betwixt States there are " often ſudden Changes from Peace to War, accord- " ing to Occaſion and Advantage: All the States of " Chriſtendom are now armed, and we have no " Reaſon to believe but that thoſe of greateſt Power " have an evil Eye upon us in reſpect of our Reli- " gion: And if their private Differences ſhould be " compoſed, how dangerouſly, how ſpeedily might " thoſe great Armies and other Preparations now " ready, be applied to ſome Enterprize and Attempt " againſt us? And if there were no other Cauſe, " this were ſufficient to make us ſtand upon our " Guard; but there are divers more eſpecial Symp- " toms of Dangers of this kind. We may perceive " by ſeveral Advertiſements from Abroad, that they " did foreſee our Dangers many Months before they " broke out; they could foretel the Time and Man- " ner of them, which is a clear Evidence they " held Intelligence with thoſe which were the Con- " trivers and Workers of the preſent Troubles. We " have many dangerous Traytors and Fugitives now

" in

" in other Parts, who can diſcover the Weakneſs 1641-2.
" and Diſtemper of the Kingdom; who hold Intel-
" ligence with the ill-affected Party here, and by all
" cunning and ſubtile Practices endeavour to incite
" and provoke other Princes againſt us. Some of
" the Miniſters of our neighbouring Princes may be
" juſtly ſuſpected to have had a more immediate
" Hand and Operation in the Inſurrection and Rebel-
" lion of *Ireland*; many of the Commanders, and moſt
" of the Soldiers levied for the Service of *Spain*, are
" now joined with the Rebels there; and thoſe *Iriſh*
" Friars which were employed by the *Spaniſh* Am-
" baſſador for the making of thoſe Levies, are known
" to have been the chief Incendiaries of this Rebel-
" lion, and are ſtill very active in the Proſecution
" and Encouragement of it. The Rebels have a
" ready and ſpeedy Supply from ſome of our Neigh-
" bours. Two Convoys of Munition and Arms we
" are certainly informed of; one from *Dunkirk*, the
" other from *Nants* in *Britany*; and certainly thoſe
" that are ſo forward to enable others to hurt us,
" will not forbear to hurt us themſelves, as ſoon as
" they ſhall have Means and Opportunity to do it.

" Another Danger is from the *Papiſt* and ill-af-
" fected Party at Home. The Papiſts here are acted
" by the ſame Principles with thoſe in *Ireland*, many
" of the moſt active of them have lately been there;
" which argues an Intercourſe and Communication of
" Council. They have ſtill ſtore of Arms and Mu-
" nition at their diſpoſing, notwithſtanding all our
" Endeavours to diſarm them; they have a free Re-
" ſort to the City and to the Court; they want no
" Opportunity to conſult together; they have the
" ſame or greater Encouragement from above, and
" from about (*a*), than ever, in reſpect of the Ex-
" ample and Succeſs of the Rebels in *Ireland*, and
" the great Confuſions and Diviſions which by their

(*a*) That is to ſay, from the King, Queen and Miniſtry.

1641—2. " cunning and subtile Practices are raised and fomented amongst our selves at Home.

" A Third Danger is of *Tumults* and Insurrections of the meaner sort of People, by reason of their ill Vent of Cloth and other Manufactures, whereby great Multitudes are set on work, who live for the most part by their daily Gettings, and will in a very short Time be brought to great Extremity, if not employed: Nothing is more sharp and pressing than *Necessity* and *Want*; what they cannot buy they will take, and from them the like Necessity will quickly be derived to the Farmers and Husbandmen; and so grow higher, and involve all in an equality of Misery and Distress, if it be not prevented. And at this time such Tumults will be dangerous, because the Kingdom is full of disbanded Soldiers and Officers, which will be ready to head and to animate the Multitude to commit Violence with more Strength and Advantage; and if they once grow into a Body, it will be much more difficult to reduce them into Order again, because Necessity and Want, which are the Cause of this Disturbance, will still encrease as the Effects do encrease.

" A Fourth Danger is from the Rebels in *Ireland*, not only in the respect of that Kingdom, but in respect of *This*. They have seized upon the Body of that Kingdom already; they abound in Men of very able Bodies; they encrease in Arms and Munition; they have great Hopes of Supplies from Abroad, of Encouragement *here*, and are sure of good Entertainment from the *Popish* Party, so that they begin to speak already there of transporting themselves hither, and making this Kingdom the Seat of the War. The Distemper which hath produced these Dangers is various and exceeding violent. Whensoever Nature is hindered in her proper Operations and Faculties, Distempers will necessary follow.

" The

" The *Obſtructions* which have brought us into 1641-2.
" this Diſtemper, are very many, ſo that we cannot
" wonder at the Strength and *Malignity* of it. Some
" of the chiefeſt of theſe Obſtructions I ſhall endea-
" vour to remember.

" 1. The Obſtruction of *Reformation in Matters of*
" *Religion:* No Grievances are ſharper than thoſe
" that preſs upon the tender Conſciences of Men;
" and there was never Church or State afflicted with
" more Grievances of this kind than we have been.
" And though they are by the Wiſdom of this Par-
" liament partly eaſed and diminiſhed, yet many ſtill
" remain; and as long as the Biſhops, and the cor-
" rupt part of the *Clergy* continue in their Power,
" there will be little hopes of Freedom, either from
" the Senſe of thoſe which continue, or the Fear of
" thoſe which are removed. And of this Obſtructi-
" on, (*My Lords,*) I muſt clear the *Commons*, we are
" in no part guilty of it; ſome good *Bills* have
" paſt us, and others are in Preparation, which
" might have been paſſed before this, if we had not
" found ſuch ill Succeſs in the other. Whatſoever
" Miſchief this Obſtruction ſhall produce, we are
" free from it; we may have our part in the Miſery,
" we can have no part in the *Guilt* or Diſhonour.

" 2. An *Obſtruction* in *Trade:* It is the Trade that
" brings Food and Nouriſhment to the Kingdom:
" It is that which preſerves and encreaſes the Stock
" of the whole, and diſtributes a convenient Portion
" of Maintenance to every part of it; therefore ſuch
" an Obſtruction as this muſt needs be dangerous;
" the freedom of Trade being ſo neceſſary, the Be-
" nefit ſo important, as that it gives Life and
" Strength and Beauty to the whole Body of the
" Commonwealth; but I muſt proteſt the Houſe of
" Commons hath given no Cauſe to this Obſtructi-
" on; we have eaſed Trade of many Burthens and
" heavy Taxes, which are taken off; we have freed
" it from many hard Reſtraints by Patents and Mo-
" nopolies;

1641-2. " nopolies; we have been willing to part with our
" own Privileges to give Encouragement; we have
" ſought to put the Merchants into Security and
" Confidence in reſpect to the *Tower* of *London*, that
" ſo they might be invited to bring in their *Bullion*
" to the Mint, as heretofore they have done, and
" we are no way guilty of the Troubles, the Fears,
" and publick Dangers which make Men withdraw
" their Stocks, and keep their Money by them, to
" be ready for ſuch ſudden Exigents, as in theſe
" great Diſtractions we have too much Cauſe to ex-
" pect.

" 3. The *Obſtructions in the relief of Ireland.* It
" muſt needs be accounted a great *Shame* and Diſ-
" honour to this Kingdom, that our Neighbours
" have ſhewed themſelves more forward to ſupply
" the *Rebels*, than we have been to relieve our diſ-
" treſſed Brethren and fellow Subjects. But I muſt
" declare that we are altogether innocent of any neg-
" lect therein. As ſoon as the firſt News of the
" Rebellion came over, we undertook the War,
" not by way of Supply and Aid, as in former Re-
" bellions the Subjects have uſed to do, but we un-
" dertook the whole Charge of it, and we ſuffered
" not Twenty-four Hours to paſs, before we agreed
" to a great Levy of Money and Men, to be em-
" ployed againſt the Rebels, even in a larger Pro-
" portion than the Lord's Juſtices and Counſel there
" did deſire; and from time to time we have done
" all for the furtherance thereof, though in the
" midſt of many Diſtractions and Diverſions; but
" the *want of Commiſſion* for levying of Men, for
" iſſuing Arms, and divers other Impediments, have
" been the Cauſes of that Obſtruction; and I wiſh
" we had not only found Impediments to our ſelves,
" but alſo Encouragements to them. *Many of the*
" *chief Commanders*, now in the Head *of the Rebels*,
" *after we had with your Lordſhips Concurrence ſtopt*
" *the Ports againſt the* Iriſh *Papiſts, have been ſuffered to*
" *paſs by his Majeſty's immediate Warrant*, much to the
" diſcourage-

" diſcouragement of the Lords Juſtices and the 1641-2.
" Council there, and this procured, as we believe,
" by ſome evil Inſtrument too near his Regal Per-
" ſon without his Majeſty's Knowledge and Intenti-
" ons.

" 4. The *Obſtruction in Proſecution of Delinquents*:
" Many we have already brought unto your Lord-
" ſhips; divers others we have been diſcouraged to
" tranſmit; ſuch difficult Proceedings have we met
" withal; ſuch Terrors and Diſcountenance have
" been caſt upon our ſelves and our Witneſſes, and
" thoſe who have ſhewed themſelves their Friends
" and Patrons, have found it the moſt ready way to
" Preferment (*a*); yea his *Majeſty's own Hand* hath
" been obtained, his Majeſty's Ships been employed
" for the tranſporting of divers of thoſe who have
" fled from the Juſtice of the Parliament (*b*).

" 5. A general Obſtruction and *Interruption of the*
" *Proceedings of Parliament*, by thoſe manifold De-
" ſigns of Violence (which through God's Mercy
" we have eſcaped) by the great and frequent Brea-
" ches of Privilege, by the ſubtle Endeavours to raiſe
" Parties in our Houſe, and Jealouſies betwixt the-
" two Houſes.

" 6. The Obſtruction in providing for the *Defence*
" *of the Kingdom*, that we might be enabled to reſiſt
" a foreign Enemy, to ſuppreſs all Civil Inſurrecti-
" ons; and what a preſſing Neceſſity there is of
" this, the exceeding great Decays in the Navy, in
" the Forts, in the Power of ordering the *Militia* of
" the Kingdom, and means of furniſhing them with
" Munition, are ſufficient Evidences, known to none
" better than your Lordſhips; and what Endeavour
" we have uſed to remove them (but hitherto with-
" out the Succeſs and Concurrence which we expect)
" and where *the ſtop* hath been, and upon what good
" Grounds, we may claim our own Innocency and
" Faithful-

(*a*) The Lord *Digby* is chiefly meant.
(*b*) *Jermyn* and *Digby*.

1641-2. " Faithfulneſs in this, we deſire no other Witneſſes " but your ſelves.

" Laſtly, I come to the evil Influences which " have cauſed this Diſtemper, and I ſhall content " my ſelf to mention ſome few of thoſe which are " moſt apparent and important.

" 1. In the firſt Place, I ſhall remember the evil " Counſels about the King, whereof we have often " complained. *Diſeaſes of the Brain are moſt dange-* " *rous*; becauſe from thence *Senſe* and *Motion* are de- " rived to the whole Body. The Malignity of evil " Counſels will quickly be infuſed into all parts of " the State. None can doubt but we have exceed- " ingly laboured under moſt dangerous and miſchie- " vous Counſels. This evil Influence hath been the " Cauſe of the Preparations of War with *Scotland*, of " the procuring a Rebellion in *Ireland*, of corrupting " Religion, ſuppreſſing the Liberty of this Kingdom, " and of many fearful and horrid Attempts, to the " ſubverting the very Being of Parliaments, which " was the only hopeful Means of oppoſing and pre- " venting all the reſt: And this doth appear to be " a moſt predominant Evil of the Time; whereat " we need not wonder when we conſider *how* Counſel- " lors have been preferred and prepared. And I " appeal to your Lordſhips own Conſciences, whe- " ther the giving, and the countenancing of evil " Counſels, hath not been almoſt the *only way to fur-* " *ther Advancement.*

" 2. The Diſcouragement of *good Counſels.* Divers " honeſt and approved Counſellors have been put " from their Places; others ſo diſcountenanced, as " that the way of Favour hath been ſhut againſt " them, and that of Danger and Deſtruction only " open to them.

" 3. The great Power that an intereſted and fac- " tious Party hath in the Parliament, by the Con- " tinuance of the Votes of the Biſhops and Popiſh " Lords in your Lordſhips Houſe; and the taking

" in

" in others both out of the Houſe of *Commons*, and 1641 2.
" otherwiſe to increaſe their Strength.

" 4. The fomenting and cheriſhing of a malignant " Party throughout the whole Kingdom.

" 5. The manifold *Jealouſies* betwixt the King, " his Parliament, and good Subjects, whereby his " Protection and Favour hath in a great Meaſure been " with-held from them; their Inclinations and Reſo- " lution to ſerve and aſſiſt him, hath been very much " hindered and interrupted: we have often ſuffered " under the Miſinterpretation of good Actions, and " falſe Imputation of Evil, which we never intend- " ed. So that we may juſtly purge our ſelves from " all Guilt of being Authors of this Jealouſy and " Miſunderſtanding: We have been and are ſtill rea- " dy to ſerve his Majeſty with our Lives and For- " tunes, with as much Chearfulneſs and Earneſtneſs " of Affection, as ever any Subjects were, and we " doubt not but our Proceedings will ſo manifeſt " this, that we ſhall be as clear in the Apprehenſion " of the World, as we are in the Teſtimony of our " own Conſciences.

" I am now come to a Concluſion, and I have " nothing to propound to your Lordſhips by way " of Requeſt or Deſire from the Houſe of *Commons*: " I doubt not but your Judgments will tell you what " is to be done; your Conſciences, your Honours, " your Intereſt will call upon you for the doing of " it; the *Commons* will be glad to have your Help " and Concurrence in ſaving the Kingdom; but if " they ſhould fail of it, it ſhould not diſcourage " them in doing their Duty. And whether the King- " dom be *loſt* or *ſaved* (as through God's Bleſſing I " hope it will be) they ſhall be ſorry that the Story " of this preſent Parliament, ſhould tell Poſterity, " that in ſo great a Danger and Extremity, the *Houſe* " *of Commons* ſhould be inforced to ſave the Kingdom " *alone*, and that the Houſe of Peers ſhould have " no part in the *Honour* of the Preſervation of it, " you having ſo great Intereſt in the good Succeſs

" of ;

1641-2. " of those Endeavours in respect of your great E-
" states, and high Degrees of Nobility.
" *My Lords*, Consider what the present Necessities
" and Dangers of the Commonwealth require, what
" the *Commons* have reason to expect, to what En-
" deavours and Counsels the concurrent Desires of
" all the People do invite you: So that applying
" your selves to the Preservation of the King and
" Kingdom, I may be bold to assure you, in the
" Name of all the *Commons* of *Englaud*, that you
" shall be bravely seconded."

Remarks on this Speech.

I thought proper to insert this whole Speech, because we manifestly see here, the Resolution taken by the *Commons* to strip the King of great part of his Prerogatives, which they termed saving the Kingdom. In the next Place, we see here the Plan they were forming, under Colour of applying a Cure to the epidemical Distemper, the Dangers whereof Mr. *Pym* described methodically. Though he did not explain the manner of curing it, it was easy to infer from his Speech, that it was necessary to prevent the Dangers, remove the Causes, and apply strong Antidotes against the ill Influences which inflamed the Disease.

The first Remark I shall make on this Speech, is, that it was but a Preparative to dispose the People to see without Surprise the violent Remedies which were intended to be made use of to remove a Distemper that was industriously represented as almost incurable. It would be no hard Matter to show that all the subsequent Steps taken by the *Commons* were hinted in this long Speech, were I not apprehensive it would lead me too far.

I shall add another Remark which is no less important and requisite: And that is, if the Projects of the *Commons* had been built only upon idle Notions and Chimera's, they would never have met with so many Adherents ready and eager to bring them about. Had not the People of *England* been ever oppressed,

preſſed, it would have been in vain to endeavour to perſwade them they had actually been ſo. Had not the King attempted to eſtabliſh an Arbitrary Power, had not his Miniſters, his Counſellors, all Perſons in publick Offices, helped to execute this Deſign, how would it have been poſſible to convince the People of the reallity of the ſame? If the Biſhops and *High-Commiſſion* had not abuſed their Power; if in order to be at a greater Diſtance from the *Presbyterians*, they had not introduced Ceremonies and Innovations, wherein there was but too much Affectation of imitating the *Romiſh* Religion, never could the People have been perſwaded that there was a Deſign to introduce *Popery*. Had the King always ſtrictly kept his Word, which way would it have been practicable to inſpire the People with ſo great a Diſtruſt towards him? By what Band would the Members of Parliament have been united together in the Deſign of leſſening the King's Power? How ſhould ſuch a Thought have come into their Minds? We may venture then to affirm, that theſe Projects were built upon very real and true Facts, but of which the *Preſbyterians* knew how to make the moſt, in order to compaſs their private Ends. Nevertheleſs it muſt be owned, that the greateſt part of theſe Facts were aggravated, ſtrained Conſequences drawn from ſome, and even groundleſs Inſinuations added to them. 1642.

In fine, I ſhall further obſerve, that they who ſay theſe *Petitions* preſented to the Houſe of *Commons* were all begged, ſeem to ſay it with Reaſon, or at leaſt with great Probability. It is pretty hard to believe that the People to whom theſe *Petitions* were aſcribed, could have uſed a Language ſo agreeable to the Aim and Intentions of the *Commons*, if they had not been drawn up by Perſons fully informed of their Deſigns. It is true, in anſwer to this Objection, it is alledged, that theſe *Petitions* were not formed upon the Views of the *Commons*, but that the Houſe framed their Reſolutions upon theſe *Petitions*, which informed them of the Nation's Deſires. But we do not find

Petitions

1641-2. that they ever framed their Reſolutions upon other *Petitions* directly contrary to theſe which were alſo preſented to them from Time to Time, and which ſquared not with their Principles. On the contrary, we ſee that for the moſt part theſe laſt were rejected, or no notice taken of them.

The Commons *thank Mr.* Pym.

The Houſe of *Commons* were ſo pleaſed with Mr. *Pym*'s Speech, that Mr. *Speaker* was ordered to give him Thanks for it, and to deſire him to print the ſame, that it might be diſperſed among the People.

The King complains of ſome Words in it.

But the King took great Offence at it, particularly, at what Mr. *Pym* ſaid concerning *Paſſes* granted for *Ireland*, *That ſince the Stop upon the Ports againſt all* Iriſh Papiſts, *by both Houſes, many of the chief Commanders, now in the Head of the Rebels, have been ſuffered to paſs by his Majeſty's immediate Warrant.* The King ſaid, it was a black Calumny, and demanded by a Meſſage, that the Houſe ſhould make him a ſolemn Reparation, and diſavow what *Pym* had aſſerted; but the *Commons*, who were not then in the Mind to oblige the King, anſwered, that what Mr. *Pym* had ſaid was agreeable to the Senſe of the Houſe. That it was true, ſince the Stop upon the Ports by both Houſes, ſeveral Perſons who were now Commanders among the Rebels, had paſſed into *Ireland* with his Majeſty's *immediate Warrant*, ſome of whom they named. The King replied, that theſe *Paſſes* were obtained whilſt he was in *Scotland*, and before he knew of the Order of Parliament, and inſiſted upon the Vindication he had already required. The *Commons* anſwered by a Declaration, maintaining what they had advanced, and adding that his Majeſty's *Paſſes* were not only for thoſe they had before named, but alſo *for ſuch a one* * *and his Company, for ſuch a one* *1 *and four other Perſons.* The King replied, what *Pym* ſaid in his Speech was built upon Inferences

Feb. 7. Ruſh. IV. p. 511.

The Houſe ſtands by what Pym *had ſaid.*

* Namely, Colonel *Butler*, whoſe Brother was General of the Rebels in *Munſter*. He was Uncle to the Earl of *Ormond*.

*1 The Lord *Delvin*, and four Perſons unnamed, of whom *Plunket* was one.

ferences drawn from theſe *Paſſes*, which were ſlender Proofs to ground Belief upon. He inſiſted again upon Reparation: but the *Commons* thought not proper to return any Anſwer. 1641-2.

Difference between the King and Parliament about the Militia.

This Diſpute between the King and the Parliament was of little moment, in compariſon of another which was ſtarted at the ſame Time, and which was attended with ſad Conſequences, I mean, that about the *Militia* and Command of the Forts. But for the better Underſtanding this Affair, which is one of the Principal of the preſent Reign, a Man muſt neceſſarily know what had been done already in the Matter.

After the King's Return from *Scotland*, it was eaſy for him to perceive that the *Commons* intended to rob him of great part of his Authority. The *Remonſtrance of the State of the Kingdom*, preſented to him at a time when without ſuch a Deſign it ſeemed very needleſs, was as it were the Signal of the War which was preparing againſt him. Whatever had been done ſince tended only to the ſame End, that is, to cry down the King's Government, and impute to him ſundry Deſigns, under the Name of his Counſellors, of the Papiſts, and of an ill-affected Party. It is no great wonder that finding himſelf in this ill Situation, he thought betimes of providing againſt the Attacks to which very likely he was going to be ſoon expoſed. But who can affirm, that if he had ſucceeded in putting himſelf in a Poſture of Defence, he would have ſtood upon the Defenſive only? However this be, the Precautions he would have taken againſt his Enemies, ſerved but to render their Accuſations more plauſible.

In the Month of *January* 164½, and at the Time that the Buſineſs of the Members accuſed and the Breach of Privileges was warmly debating, the King, not knowing how Matters might end, formed the Deſign of ſecuring *Hull*. This Place was very conſiderable, both by its Situation, and by reaſon of a large Magazine of Arms and Ammunition, which

1641-2. might be of great Advantage to him that ſhould have it in his Power, in caſe of a Rupture. To this end, the Earl of *Newcaſtle*, by the King's Order, came to *Hull* under a counterfeit Name, to conſult with ſome of the King's Friends, and amongſt others with Captain *Legg*, about the Means to oblige the Mayor to deliver up to him the Town and Magazine, or to get it by force if the Mayor would not give his Conſent. The Secret being diſcovered, the Peers ordered the Earl of *Newcaſtle* to attend the Service of the Houſe, which he did, after receiving the King's Pleaſure, without being asked, at his Return, where he had been. But ſome Days after the *Commons* moved that Sir *John Hotham* might be ſent to *Hull*, as I ſaid, to which the Lords agreed the more readily, as they were not ignorant upon what Deſign the Earl of *Newcaſtle* had been diſpatched thither. The Order was therefore given to *Hotham* by both Houſes, to go and command in *Hull*, without vouchſafing to acquaint the King with it.

Shortly after, the Affair of the *Militia*, which I mentioned juſt now, being entered upon, the King formed once more the Deſign of ſecuring *Hull* and *Portſmouth*. To that purpoſe, Colonel *Goring* Governour of *Portſmouth*, whom the King had ſecretly gained, was to receive the Queen into *Portſmouth*, which done, he had Orders to go and take the Command of *Hull*. Probably, there was ſome Courſe taken for the ſurrender of that Place to him. This Deſign was diſcovered, though it was communicated but to three Perſons, and the King thought not proper to purſue it, for fear of a Diſappointment.

If to this be added the Suſpicions entertained by the Parliament, that the late Aſſembly at *Kingſton* was in order to ſurprize *Portſmouth*, and that the Journey the Queen was to take thither at the ſame Time was upon the ſame Account: That the Lieutenancy of the *Tower* given to *Lunsford* might be another Conſequence of the King's Deſign to ſecure at once the Three ſtrongeſt Places in the Kingdom, we

ſhall

ſhall not wonder hereafter, to ſee the Parliament full of Fears and Jealouſies. For though the Houſe of *Commons* had given the King but too much Cauſe to take Precautions for his Defence, theſe very Precautions, had they ſucceeded, would have been no leſs prejudicial to the Publick, than if they had been without a plauſible Foundation. So, as the King had reaſon to fear that the Parliament had a mind to ſtrip him of his Authority, the Parliament had no leſs cauſe to ſuſpect that the King was privately labouring to ſubdue them. In this Diſpoſition, neither the one nor the other took any Step which was not ſuſpected to hide ſome ill Deſign. Conſequently every thing tended to a Rupture. The main Buſineſs of both Parties was only to gain the People to their Side. The Parliament ſtrenuouſly endeavoured it, by rendering the King odious, and cheriſhing the Fears and Suſpicions already infuſed into the People: Their Aim was fully to convince the Nation of the Neceſſity of proceeding in an extraordinary Manner, in a Caſe ſo uncommon. The King on his Part, carefully repreſented that the Parliament did nothing but violate the Laws, and ſubvert the Conſtitution of the Government, under colour of maintaining them. It was neceſſary to ſay thus much, before I entered upon the Buſineſs of the *Militia*, that the Reader may underſtand the Springs and Motives of the King's and the Parliament's Proceedings. 1641-2.

Eight Days after young *Hotham*'s Departure for *Hull*, where his Father Sir *John* came within a few Weeks, the King ſent a Meſſage to both Houſes, to make them the following Propoſition:

The King's Meſſage to both Houſes. Jan. 20. Ruſh. IV. P 516, &c.

"That they would with all ſpeed fall into a ſe-
"rious Conſideration of all thoſe Particulars which
"they ſhall hold neceſſary, as well for the upholding
"and maintaining of his Majeſty's juſt and regal
"Authority, and for the ſettling of his Revenue, as
"for the preſent and future Eſtabliſhment of their
"Privileges; the free and quiet enjoying of their

1641 2. "Estates and Fortunes; the Liberties of their Persons; the Security of the true Religion now professed in the Church of *England*, and the settling of Ceremonies in such a manner, as may take away all just Offence; which, when they shall have digested and composed one entire Body, that so his Majesty and themselves may be able to make the more clear Judgment of them, it shall then appear by what his Majesty shall do, how far he hath been from intending, or designing any of those things, which the too great Fears and Jealousies of some Persons seem to apprehend, and how ready he will be to exceed the greatest Examples of the most indulgent Princes in their Acts of Grace and Favour to their People."

The King's Views in this Message.

It is evident the King had three Views in making this Proposition. The First, to find the Parliament something to do, which they should not be able to see the End of in a good while, and to gain time to prepare himself, whilst the Parliament should be employed in the Discussion of what was contained in the Message. The Second was, to know at once how far the Designs of his Enemies reached, which could not but be advantageous to him and injurious to them, with regard to the People. His Third View was, to let his Subjects see how willing he was to consent to whatever should be capable of procuring a perfect Reconciliation between him and his Parliament. As to his saying, *How ready he should be*, &c. it was only a general Promise, liable to a Thousand Restrictions and Explanations, and which properly bound him to nothing.

The *Commons* fully perceived the Snare the King laid for them: but they perplexed him no less by their Answer to his Proposition. They told him in an Address they presented to him, "That they re-

The Answer of the House of Commons.

"turned to his Majesty their most humble Thanks, "resolving to take his Message into speedy and se-"rious Consideration; and to enable them with Se-

"curity

" curity to diſcharge their Duties therein, they de- 1641-2.
" ſired the Peers to join with them, in humbly be-
" ſeeching his Sacred Majeſty to raiſe up unto them
" a ſure Ground of Safety and Confidence, by put-
" ting the *Tower* and other principal Forts of the
" Kingdom, and the whole *Militia* thereof into the
" Hands of ſuch Perſons as the Parliament might
" confide in, and as ſhould be recommended unto his
" Majeſty by both Houſes of Parliament" *.

The Commons Views

By this Anſwer, the *Commons* made a Preliminary of the moſt important Point that there could be to ſettle between the King and Parliament, and which being granted, would have put it in the Parliament's Power to do whatever they pleaſed. In the ſecond Place, they inſinuated to the People, that the Parliament's Diſtruſt towards the King muſt needs have been grounded upon ſtrong Preſumptions, ſince there was no way to bring about a Reconciliation and ſettle the Rights of the Nation, as long as the King ſhould be Maſter of the Forts and *Militia*.

The King's Anſwer. Jan. 28. Ruſh. IV. p. 517.

The King anſwered, concerning the *Tower* of *London*; " That having preferred a Perſon of a known
" Fortune, and unqueſtionable Reputation to that
" Truſt, he did not expect he ſhould be preſſed to
" remove him, without any particular Charge a-
" gainſt him: That notwithſtanding, if upon due
" Examination any Particular could be preſented to
" His Majeſty, whereby it might appear, that he
" was miſtaken in his Opinion of *Byron*, and that
" that Gentleman was unfit for the Truſt committed
" to him, he would make no ſcruple of diſcharging
" him. But otherwiſe, he was obliged in Juſtice to
" himſelf, to preſerve his own Work, leſt his Favour

* The Petition goes on, " Wherein the Peers having refuſed " to join with them, they, notwithſtanding, no way diſcouraged, " but confiding in his Majeſty's Goodneſs, humbly beſeech him " that the *Tower* of *London*, &c." *Ruſh.* IV. p. 517. Our Author takes no notice of this Diſſent of the Lords.

1641 2. " and good Opinion might prove a Diſadvantage " and Misfortune to his Servants, without any other " Accuſation. For the Forces and Caſtles of the " Kingdom; he was reſolved they ſhould always be " in ſuch Hands, (and only ſuch) as the Parliament " might ſafely confide in: but the Nomination of any " Perſons to thoſe Place (being ſo principal and in- " ſeparable a Flower of his Crown, veſted in him, " and derived unto him from his Anceſtors by the " fundamental Laws of the Kingdom) he would re- " ſerve to himſelf: and in beſtowing of them, he " ſhould not be induced to expreſs that Favour ſo " ſoon to any Perſon, as to thoſe whoſe good De- " meanour ſhould be eminent in, or to his Parlia- " ment; and if he ſhould at any time confer ſuch a " Truſt upon an undeſerving Perſon, he would al- " ways be ready to leave him to the Wiſdom and " Juſtice of his Parliament.

" As for the Militia of the Kingdom, which by " the Law is ſubject to no Command, but of his " Majeſty, and of Authority lawfully derived from " him, when any particular Courſe for the or- " dering the ſame ſhould be conſidered and digeſted " by his Parliament, and propoſed to him, he would " return ſuch an Anſwer as ſhould be agreeable to " his Honour, and the Safety of his People, being " reſolved only to deny thoſe things, the granting " whereof would alter the fundamental Laws."

Remark on the King's anſwer. So general an Anſwer was not capable of ſatisfying the *Commons*. Nay it ſeemed to intimate pretty clearly that the King would not grant what was intended to be asked him, and yet he removed Sir *John Byron* from the Lieutenancy of the *Tower*, and gave it to Sir *John Conyers*, who was recommended to him by the *Commons*. But this was a Favour he readily granted, as it did not prejudice his Rights. Nevertheleſs, a few Days after the following Petition was preſented to him by both Houſes:

To

To the KING's moſt Excellent Majeſty, The humble Petition of the Lords and Commons aſſembled in Parliament.

Moſt Gracious Sovereign,

THE preſent Evils and Calamities wherewith your Kingdoms are moſt miſerably intangled, the imminent Dangers which threaten your Royal Perſon, and all your People, have cauſed us your moſt faithful and obedient Subjects, the Lords and Commons in this preſent Parliament, with Thankfulneſs to entertain, and with all Earneſtneſs of Affection and Endeavour to purſue the gracious Propoſition and Direction, which not long ſince we have received from your Majeſty. And we have thereupon taken into our moſt ſerious Conſideration the Ways and Means of ſecuring the Safety of your Royal Perſon, preſerving the Honour and Authority of your Crown, removing all Jealouſies betwixt your Majeſty and your People, ſuppreſſing the Rebellion in Ireland, *preventing the Fears and Dangers in this Kingdom, and the miſchievous Deſigns of thoſe who are Enemies to the Peace of it. And that we may with more Comfort and Security accompliſh our Duties herein, we moſt humbly beſeech your Majeſty, That you will be pleaſed forthwith to put the* Tower *of* London, *and all other Forts, and the whole Militia of this Kingdom, into the Hands of ſuch Perſons as ſhall be recommended to your Majeſty by both Houſes of Parliament*. Which they aſſure themſelves will be a hopeful Entrance into thoſe Courſes, which (through God's bleſſing) ſhall be effectual for the removing of all Diffidence and Miſapprehenſion betwixt your Majeſty and your People, and for eſtabliſhing and enlarging the Honour, Greatneſs and Power of your Majeſty and*

Petition of both Houſes to the King. Feb. 2. Ruſh. IV. p. 518.

* The Lieutenancy of the Tower was not yet given to Sir John Conyers.

1541-2. *Royal Poſterity, and for reſtoring and confirming the Peace and Happineſs of your loyal Subjects in all your Dominions. And to this our moſt neceſſary Petition, we in all Humility expect your Majeſty's ſpeedy and gracious Anſwer, the great Diſtractions and Diſtempers of the Kingdom not admitting any Delay.*

The Parliament always ſuppoſed the Kingdom to be in extreme Danger, and the Papiſts and diſaffected Party, or rather the King himſelf, to have ill Deſigns; though after all, their Suppoſition was built only upon Conjectures, which the King had given ſome Ground for, by endeavouring to ſecure *Hull*, as they had been well informed. See the King's Anſwer to this Petition.

Ruſh. IV. p. 519. *His Majeſty having well conſidered of this Petition, and being deſirous to expreſs how willing he is to apply a Remedy, not only to your* Dangers, *but even to your* Doubts, *and* Fears, *he therefore returns this Anſwer, That when he ſhall know the* extent of Power, *which is intended to be eſtabliſhed in thoſe Perſons whom you deſire to be Commanders of the* Militia *in the ſeveral Counties, and likewiſe to* what Time *it ſhall be limited, that no Power ſhall be executed by his Majeſty alone, without the Advice of Parliament, then he will declare, That (for the ſecuring you from all Dangers or Jealouſies of any) his Majeſty will be content to put in all the Places, both of* Forts *and* Militia *in the ſeveral Counties, ſuch Perſons as both the Houſes of Parliament ſhall either approve or recommend unto him, ſo that you declare before unto his Majeſty* the Names *of the Perſons whom you approve or recommend, unleſs ſuch Perſons ſhall be named againſt whom he ſhall have* juſt *and unqueſtionable Exception.*

Obſervation on this Anſwer. The King ſeemed by this Anſwer, to yield entirely to the Deſire of both Houſes, and yet the Sequel ſhows it was neither his Intention nor Thoughts. For the full underſtanding this Anſwer, it will be neceſſary to know how the King then ſtood diſpoſed. His Deſign

Deſign was to withdraw to *York* and levy Troops in thoſe Parts, in order to ſeize *Hull*, with the Magazine there. So that it is very likely, from that Time he had thoughts of War, whether Defenſive or Offenſive. And therefore he had determined to ſend the Queen into *Holland*, under Colour of conducting thither the Princeſs *Mary* her Daughter, who had eſpouſed the Prince of *Orange*, and of going to the *Spa*. But withal, he had put into her Hands the Crown-Jewels, which were afterwards uſed in buying up Arms and Ammunition. When the Parliament preſented this *Petition* to him, he was upon the Point of ſending away the Queen, after which, he intended to retire to *York*. It was not therefore his Intereſt abſolutely to reject the Parliament's Requeſt in ſuch a Juncture, for fear of raiſing a Storm too ſoon, which might have obſtructed the Execution of his two Deſigns, and eſpecially that relating to *Hull*. For this Reaſon, he returned the Parliament ſeemingly ſo ſatisfactory an Anſwer, but which however amounted not to an abſolute Conſent, becauſe of ſome Reſtrictions he had added, from whence he meant to draw afterwards a Pretenſe to render his Engagement of no Effect. Nevertheleſs the Terms of this Engagement were ſo well choſen, that although of themſelves, they ſignified not that the King reſerved to himſelf a Power to call back his Word, ſuch a Senſe however might be fixt upon them by Conſequence. So in the King's Intention, this Anſwer was ſolely deſigned for no other end but to gain Time. A few Days after he gave the Lieutenancy of the *Tower* to Sir *John Conyers* *, the better to perſwade both Houſes that he intended to ſatisfy them. 1641-2.

The Parliament preſent to the King the Form of an Ordinance for the Militia.

The Parliament doubted not in the leaſt but that the King was reſolved to put the *Militia* into the Hands of ſuch as ſhould be recommended to him. And

* *February* 11th, as appears by a ſhort Meſſage that Day from the King to the Houſe of *Peers*. Ruſh. IV. p. 519. Ruſh IV. p. 519.

1641-2. And therefore they ordered the Draught of an Ordinance for the regulating the *Militia*, to be prepared, with the Names of the Commanders in each County, ſet down on a ſeparate Paper, and preſented it to his Majeſty, with a *Petition* to deſire his Conſent.

The King's Anſwer. The King anſwered, that the Queen and Princeſs being upon their Departure for *Holland*, he had not Time to conſider of a Matter of ſo great Weight, but would ſend an Anſwer at his Return. He was then upon the Road accompanying the Queen to *Dover*.

Mean while, the Parliament thinking they had reaſon to ſuſpect the King only ſought to amuſe them, and fearing he had formed ſome private Deſign which he had a Mind to ſee the Iſſue of before he ſettled the *Militia*, preſented this other Petition to him:

Petition of both Houſes to the King. Feb. 22. *May it pleaſe your moſt excellent Majeſty, your humble and loyal Subjects, the Lords and Commons, have with a great deal of* Grief *received your Majeſty's Anſwer to their juſt and neceſſary Petition, concerning the* Militia *of this Kingdom; which your Majeſty by a gracious Meſſage formerly ſent unto them, was pleaſed to* promiſe *ſhould be put into ſuch Hands as your Parliament ſhould approve of, or recommend unto you; the extent of their Power, and the time of their Continuance being likewiſe declared. That being done, and the Perſons by both Houſes nominated, your Majeſty nevertheleſs, refers your Reſolution herein to a longer and a very uncertain Time, which (the preſent Dangers and Diſtractions ſo great and preſſing) is as unſatisfactory and deſtructive as an* abſolute Denial.

Therefore we again beſeech your Majeſty, to take our Deſire into your Royal Thoughts, and to give us ſuch an Anſwer, as may raiſe in us a Confidence that we ſhall not be expoſed to the Practices of thoſe, who thirſt after the ruin of this Kingdom, and the kindling of that Combuſtion in England, *which they have in ſo great a Meaſure effected in* Ireland; *from whence (as we are daily informed,)*

formed,) they intend and endeavour to invade us, with the Aſſiſtance of the Papiſts here amongſt us. 1641-2.

Nothing can prevent theſe Evils, nor enable us to ſuppreſs the Rebellion in Ireland, *and ſecure ourſelves, but the inſtant granting of that humble Petition, which we hope your Majeſty will not deny to thoſe, who muſt in the Diſcharge of their Duties both to your Majeſty and the Commonwealth, repreſent unto your Majeſty what they find ſo abſolutely neceſſary for the Preſervation of both, which the Laws both of God and Man enjoyn them to ſee put in Execution, as ſeveral Counties by their daily Petitions have deſired of us, and in ſome Places began already to do it of themſelves.*

Remark. The Parliament was deſirous of the King's Conſent for the ordering the *Militia*. This would have been advantageous to them upon all Accounts. But after all, in the Caſe they ſuppoſed the Kingdom to be, they did not mean that the King's Conſent was ſo abſolutely neceſſary that it could not be done, and executed without his Approbation. And therefore to let the King ſee that it would be in vain to oppoſe it, they had ordered it ſo, that in ſome Places the People had of their own accord, divided themſelves into Companies, choſen Officers, in a Word, had began to regulate the *Militia*, without ſtaying for the King's Orders. It is not likely that the People would have dared to do ſo, had they not been ſure of the Parliament's Approbation.

The King ſeeing himſelf thus preſſed, ſought other Evaſions to amuſe the Parliament, without openly declaring however that his Intent was to deny what both Houſes deſired of him. His Anſwer to the laſt Petition was as follows ;

The King's Anſwer. Feb. 28. Ruſh. IV. p. 521.

" His Majeſty having with his beſt Care and Un-
" derſtanding, peruſed and conſidered, that which
" was ſent him from both Houſes, for the ordering
" the *Militia*, preſented unto him to be made an
" Ordinance of Parliament, by the giving of his
Royal

1641-2. " Royal Aſſent; as he can by no means do it for " the Reaſons hereafter mentioned, ſo he doth not " conceive himſelf obliged by *any Promiſe* made in " his Anſwer of the ſecond of this Month, to the " Petition of both Houſes to yield the ſame.

" His Majeſty finds great Cauſe to except againſt " the Preface or Introduction to that Order, which " confeſſeth a moſt dangerous and deſperate Deſign " upon the Houſe of Commons, of late ſuppoſed to " be an Effect of the bloody Councils of Papiſts " and other ill-affected Perſons, by which many may " underſtand (looking upon other printed Papers to " that purpoſe,) his coming in Perſon to the Houſe " of Commons on the 4th of *January*, which begat " ſo unhappy a Miſunderſtanding between him and " his People; and for that, *though he believes it upon* " *the Information ſince given, to be* an apparent *Breach* " *of their Privilege*, and hath offered to repair the " ſame for the future, by any Act that ſhall be de- " ſired of his Majeſty, yet he muſt declare, and re- " quire to be believed, that he had no other Deſign " upon that Houſe, or any Member of it, than to " require (as he did) the Perſons of thoſe five Gen- " tlemen his Majeſty had the Day before accuſed of " High-Treaſon; and to declare, that he meant to " proceed againſt them legally and ſpeedily, upon " which he believes that Houſe would have delivered " them up; and his Majeſty calls the *Almighty God* " *to Witneſs*, that he was ſo far from any Intention " or thought of Force or Violence; although that " Houſe had not delivered them according to his " Demand, or in any Caſe whatſoever, that he gave " thoſe his Servants, and others, that waited on his " Majeſty, expreſs Charge and Command, that they " ſhould give no Offence to any Man; nay, if they " received any Provocation or Injury, that they " ſhould bear it without return; and his Majeſty " neither ſaw or knew, that any Perſon of his Train " had any other Weapons, but his Penſioners and " Guards thoſe with which they uſually attend his " Majeſty,

" Majeſty, and the other Gentlemen, Swords. And 1641-2.
" therefore his Majeſty doubts not, but his Parlia-
" ment will be regardful of his Honour herein,
" that he ſhall not undergo any Imputation by the
" raſh or indiſcreet Expreſſions of any young Men
" in his Train, or by any deſperate Words uttered
" by others, who might mingle with them without
" his Conſent or Approbation.

" For the Perſons nominated to be Lieutenants of
" the ſeveral Counties of *England* and *Wales*, his
" Majeſty is contented to allow that Recommendati-
" on, only concerning the City of *London*, and ſuch
" Corporations, as by ancient Charters have granted
" unto them the Power of the *Militia*, his Majeſty
" doth not conceive, that it can ſtand with Juſtice or
" Polity to alter their Government in that Particular.

" And his Majeſty is willing forthwith to grant e-
" very of them, (that of *London*, and thoſe other
" Corporations excepted,) ſuch Commiſſions as he
" hath done during this Parliament, to ſome Lord-
" Lieutenants by your Advice; but if that Power
" be not thought enough, but that more ſhall be
" thought fit to be granted to thoſe Perſons named,
" than by the Law is in the Crown it ſelf; His Ma-
" jeſty holds it reaſonable, that the ſame be by Law
" firſt veſted in him, with Power to transfer it to
" thoſe Perſons, which he will willingly do; and
" whatever that Power ſhall be, to avoid all future
" Doubts and Queſtions, his Majeſty deſires, it may
" be digeſted into an Act of Parliament rather than
" an Ordinance; ſo that all his loving Subjects may
" thereby particularly know, both what they are to
" ſuffer, and what they are not to ſuffer, for their
" neglect, that there be not the leaſt Latitude for
" his good Subjects to ſuffer under any Arbitrary
" Power whatever.

" As to the time deſired for the Continuance of
" the Powers to be granted, his Majeſty giveth this
" Anſwer, That he cannot conſent to deveſt himſelf
" of the juſt Power, which God and the Laws of this

" King-

1641-2. " Kingdom have placed in him for the Defence of " his People, and to put it into the Hands of any " other for any indefinitive Time. And ſince the " ground of this Requeſt from his Parliament, was " to ſecure their preſent Fears and Jealouſies, that " they might with ſafety apply themſelves to the " Matter of his Meſſage of the 20th of *January*: " His Majeſty hopeth, that his Grace to them, ſince " that Time, in yielding to ſo many of their Deſires, " and in agreeing to the Perſons now recommended " to him by his Parliament, and the Power before " expreſſed to be placed in them, will wholly diſ- " pel thoſe Fears and Jealouſies; and aſſureth them, " that as his Majeſty hath now applied this unuſual " Remedy to their Doubts, ſo (if there ſhall be " Cauſe) he will continue the ſame to ſuch Time as " ſhall be agreeable to the ſame Care he now expreſ- " ſeth toward them.

" And in this Anſwer, his Majeſty is ſo far from " receding from any thing he promiſed, or intended " to grant in his Anſwer to the former Petition; " that his Majeſty hath hereby conſented to all was " then asked of them by that Petition concerning " the *Militia* of the Kingdom, (except that of *Lon-* " *don*, and thoſe other Corporations) which was to " put the ſame into the Hands of ſuch Perſons as " ſhould be recommended unto him by both Houſes " of Parliament: And his Majeſty doubts not but " the Parliament upon well weighing the Particulars " of this his Anſwer, will find the ſame more ſatis- " factory to their Ends, and the Peace and Welfare " of all his good Subjects, than the way propoſed " by this intended Ordinance, to which, for theſe " Reaſons his Majeſty cannot conſent.

" And whereas his Majeſty obſerves by the Peti- " tion of both Houſes preſented to him by the Earl " of *Portland*, Sir *Thomas Heal*, and Sir *William Sa-* " *vile*, that in ſome places ſome Perſons begin al- " ready to intermeddle of themſelves with the *Mi-* " *litia*, his Majeſty expecteth that his Parliament

" ſhould examine the Particulars thereof, it being a 1641-2.
" Matter of high Concernment and very great Con-
" ſequence.

" And his Majeſty requireth, that if it ſhall appear
" to his Parliament, that any Perſons whatſoever
" have preſumed to command the *Militia* without
" lawful Authority, they may be proceeded againſt
" according to Law."

There were in this Anſwer, ſeveral Things which could not but diſpleaſe the Parliament. 1. The Exception of *London* and other Corporations, who by Charters had the Power of the *Militia*, which was taking away with one Hand, what he ſeemed to give with the other, ſince there were very few Towns of any note, but what had the like Charters. Beſides, it did not appear that either *London* or any other Corporation deſired to be maintained in their Privilege in this Reſpect. The King took it for granted without conſulting them. 2. The King, in complaining there was no fixed Time for the continuance of the Powers of the Lieutenants, offered none himſelf. So it was a Point to be debated which might amuſe the Houſe a good while. 3. As to his promiſing to prolong the Time, if there was occaſion, it was properly nothing, ſince it is certain no Credit was given to his general Promiſes, eſpecially when they were attended with ſuch likely Reſtrictions. 4. The King did not mention the Government of the Forts, which was however a Point of great Moment. 5. He abſolutely rejected the Ordinance, and when he would have induced the Parliament to change it into an *Act*, his Intent was indirectly to oblige them to own, they had no Power to make the Ordinance, which was entirely contrary to the Pretenſions of both *Houſes*. 6. By ſuppreſſing the Ordinance and turning it into an *Act*, the *Bill* muſt have been drawn up his way, otherwiſe, he tacitely reſerved to himſelf the Power of rejecting it, a Power that hitherto had been indiſputable.

There was no Occaſion then to be very Sharpſighted, to perceive that by all theſe Reſtrictions the King

1641-2. King ſought only to gain Time, and put off the Parliament with bare Words. Accordingly both Houſes having taken his Anſwer into Conſideration, voted that it was not ſatisfactory, and preſented a third Petition to him at *Theobalds*, where he then was.

Petition of both Houſes to the King. March 1. Ruſh. IV. p. 523.

Moſt gracious Sovereign,

" YOur Majeſty's moſt loyal and obedient Subjects, the Lords and Commons in Parliament, " do find their juſt Apprehenſions of Sorrow and " Fear, in reſpect of the publick Dangers and Miſeries like to fall upon your Majeſty and the Kingdom, to be much increaſed, upon the Receipt of " your unexpected Denial of their moſt humble and " neceſſary Petition, concerning the *Militia* of the " Kingdom, eſpecially grieving, that wicked and " miſchievous Councellors, ſhould ſtill have that " Power with your Majeſty, as in this time of imminent and approaching Ruin, rather to incline " your Reſolutions to that which is apt to further the " accompliſhment of the Deſires of the moſt malignant Enemies of God's true Religion, and the " Peace and Safety of your Self and your Kingdom, " than to the dutiful and faithful Counſel of your " Parliament: Wherefore they are enforced in all " Humility, to proteſt, that if your Majeſty ſhall " perſiſt in that Denial, the Dangers and Diſtempers " of the Kingdom are ſuch as will endure no longer " Delay: But unleſs you ſhall be graciouſly pleaſed " to aſſure them by theſe Meſſengers, that you will " ſpeedily apply your Royal Aſſent to the Satisfaction of their former Deſires, they ſhall be inforced " for the Safety of your Majeſty and your Kingdom, " to diſpoſe of the *Militia* by the Authority of both " Houſes, in ſuch manner as hath been propounded to " your Majeſty, and they reſolve to do it accordingly.

" They likewiſe moſt humbly beſeech your Majeſty to believe, that the dangerous and deſperate " Deſign upon the Houſe of Commons, mentioned " in their Preamble, was not inſerted with any In-

" tention

" tention to caſt the leaſt Aſperſion upon your Ma- 1641-2.
" jeſty, but herein they reflected upon that malig-
" nant Party, of whoſe bloody and malicious Prac-
" tices they had ſo often Experience, and from which
" they can never be ſecure, unleſs your Majeſty will
" be pleaſed to put from you thoſe wicked and un-
" faithful Counſellors, who interpoſe their own cor-
" rupt and malicious Deſigns betwixt your Majeſty's
" Goodneſs and Wiſdom, and the Proſperity and
" Contentment of your Self, and of your People:
" And that for the Diſpatch of the great Affairs of
" the Kingdom, the Safety of your Perſon, the Pro-
" tection and Comfort of your Subjects, you will
" be pleaſed to continue your Aboad near to *Lon-*
" *don*, and the Parliament, and not to withdraw
" your ſelf to any the remoter parts: which if
" your Majeſty ſhould do, muſt needs be a Cauſe of
" great Danger and Diſtraction.

" That your Majeſty will likewiſe be graciouſly
" pleaſed to continue the Prince his Highneſs in
" theſe Parts, at St. *James*'s, or any other of your
" Houſes near *London*, whereby the Deſigns which
" the Enemies of the Religion and Peace of this King-
" dom may have upon his Perſon, and the Jealou-
" ſies and Fears of your People may be prevented.
" And they beſeech your Majeſty to be informed by
" them, that by the Laws of the Kingdom, the
" Power of raiſing, ordering, and diſpoſing of the
" *Militia*, within any City, Town, or other Place,
" cannot be granted to any Corporation by Charter,
" or otherwiſe, without the Authority and Conſent
" of Parliament; and that thoſe Parts of the King-
" dom which have put themſelves in a Poſture of
" Defence againſt the common Danger, have therein
" done nothing but according to the Declaration and
" Direction of both Houſes, and what is juſtifiable
" by the Laws of the Kingdom.

" All which, their moſt humble Counſel and De-
" ſires, they pray your Majeſty to accept, as the
" effect of that Duty and Allegiance which they

1641-2. "owe unto you, and which will not ſuffer them to "admit of any Thoughts, Intentions, or Endea- "vours, but ſuch as are neceſſary and advantageous "for your Majeſty's Greatneſs and Honour, and "the Safety and Proſperity of the Kingdom, ac- "cording to that Truſt and Power which the Laws "have repoſed in them."

Before I relate the King's Anſwer, it will not be amiſs to make ſome Remarks on this *Petition*. My Deſign being in the ſecond Part of the Reign of *Charles* I, to give the Readers a true Notion as to the Differences between the King and the Parliament, to the end they may the better perceive the real Grounds of the enſuing Civil Wars, I hope it will not be taken ill that by Remarks on the Papers of both Sides, I point out ſome Things which perhaps would not be regarded by every Body.

Remarks on this Petition.

In the firſt Place, the imminent Danger, the approaching Ruin which the Parliament ſo much talked of, were not ſo evident as they pretended. However they always ſuppoſed, that there was a *Popiſh* and malignant Party, who had formed a Deſign to ruin the Kingdom and the Proteſtant Religion, and that the King's evil Counſellors adviſed him to whatever might be of Advantage to that Party. I do not ſay this Suppoſition was entirely falſe: But it may be ſaid at leaſt to be grounded wholly upon bare Conjectures. Beſides, theſe were only Generalities, under which the Parliament concealed the true Cauſe of their Fears. They were apprehenſive that the King by ſecret Practices, would ſecure the Forts and Magazines, as it was well known he had deſigned ſuch a Thing, and would raiſe an Army. Nay, it could not be doubted but that conſidering the State he was in, he would have done it had it been in his Power. We ſhall ſee hereafter that he had thought of it, before the Time I am ſpeaking of. But when this Petition was preſented to him, he was ſuſpected only to have ſome great Deſign in Hand. He was therefore to be prevented, by ordering the *Militia* of

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the Kingdom, by the Authority of both Houſes, without his having any thing to do in it, that they might be ready to oppreſs immediately ſuch as ſhould declare for him, or hinder them from declaring. But all this was coloured with the Pretence of putting the Kingdom in a Poſture of Defence againſt the Plots of the Malignants. For this reaſon, the pretended Deſign of this ſame malignant Party was always expreſſed in general Terms, without the mention of any Particulars, and great care was taken to refer to it all the King's Actions, and all the Events which could have any relation thereto. But it muſt be remembred, as I have often ſaid, that the Parliament's Intention was to ſtrip the King of the greateſt Part of his Authority, and that the King's Deſign was to ſcreen himſelf from the impending Misfortunes, and in ſo doing, he would have put himſelf alſo in a State of attacking, had he been ſuffered to do it. This is properly the *Key* to the *Papers* which were publiſhed on both Sides, concerning the Affair of the Militia, though the King and Parliament endeavoured to varniſh over their reſpective Proceedings with plauſible Pretences, in order to caſt a Miſt before the Eyes of the People. 1641 2.

I ſhall remark in the ſecond Place, that the Parliament in this their Petition took no notice of the Reaſons alledged by the King in his former Anſwer. They were contented with always ſuppoſing the Deſign of ſubverting Religion and the Laws, and with referring to that Deſign the Removal of the Prince of *Wales*, and the Abſence of the King from his Parliament, to inſinuate, that the Reſtrictions the King clogged his firſt Promiſe with, were intended only to gain time, in order to favour the Malignants.

Thirdly, The Fears the Parliament was under that the King's Abſence concealed ſome hidden Deſign, were not groundleſs, as I ſaid, and as will be ſeen hereafter.

1641-2. All this shows that the King and the Parliament had but too much cause to mistrust one another. If the Parliament, under colour of the Danger the Kingdom was in, thought it incumbent on them to require that the *Militia* should be put into such Hands as they could confide in, the King had no less reason to use his Endeavours to hinder both Houses from usurping a Power which was to help to oppress him.

The King returned the following Answer to the Parliament's last Petition:

The King's Answer. March 2. Rush. IV. p. 524.

" I am so much amazed at this Message, that I " know not what to answer: You speak of Jealou- " sies and Fears: Lay your Hands to your Hearts, " and ask your selves, whether I may not likewise be " disturbed with Fears and Jealousies: And if so, I " assure you this Message hath nothing lessened " them.

" For the Militia, I thought so much of it before " I sent that Answer, and am so much assured that " the Answer is agreeable to what in Justice or " Reason you can ask, or I in Honour grant, that " I shall not alter it in any Point.

" For my Residence near you, I wish it might be " so safe and honourable, that I had no Cause to ab- " sent my self from *Whitehall*; ask your selves whe- " ther I have not.

" For my Son, I shall take care of him, which " shall justify me to God as a Father, and to my " Dominions as a King.

" To conclude, I assure you upon my Honour, " that I have no thought but of Peace and Justice to " my People, which I shall by all fair means seek to " preserve and maintain, relying upon the Goodness " and Providence of God, for the Preservation of " my Self and Rights ".

Remark on this Answer. It must be observed upon this Answer, that the Reason alledged by the King to justify his Absence from *Whitehall*, namely, the riotous Assemblies of

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the People of *London*, was plauſible. But it was extremely weak to prove the Neceſſity of going to reſide at *York*. However, he artfully confounded, under one and the ſame Reaſon, his Removal as far as *York*, and his Abſence from *London*. We ſhall ſee preſently the true Reaſon of his retiring to *York*. 1641-2.

2. It is very likely the King wiſhed for Peace, provided his Prerogatives were untouched. But the Parliament thought, in order to have a laſting Peace, the King's Power was to be curb'd.

Upon this Anſwer, it was reſolved by the Houſe of *Commons*:

" 1. That this Anſwer of his Majeſty is a Denial " to the Deſires of both Houſes of Parliament con- " cerning the Militia. *Votes of the Commons.* Ruſh. IV. p. 524.

" 2. That thoſe that adviſed his Majeſty to give " this Anſwer, are Enemies to the State, and miſ- " chievous Projectors againſt the Defence of the " Kingdom.

" 3. That this Denial is of that dangerous Conſe- " quence, that if his Majeſty ſhall perſiſt in it, it will " hazard the Peace and Safety of all his Kingdoms, " unleſs ſome ſpeedy Remedy be applied by the " Wiſdom and Authority of both Houſes of Par- " liament.

" 4. That ſuch Parts of this Kingdom as have put " themſelves into a Poſture of Defence againſt the " common Danger, have done nothing but what is " juſtifiable, and is approved of by the Houſe.

" 5. That if his Majeſty ſhall remove into any re- " mote Parts from his Parliament, it will be a great " Hazard to the Kingdom, and great Prejudice to " the Proceedings of the Parliament.

" 6. That this Houſe holds it neceſſary, that his " Majeſty may be deſired that the Prince may come " unto St. *James*'s, or to ſome other convenient " Place near or about *London*, and there to con- " tinue.

1641-2. "7. That the Lords be desired to join with this "House in an humble Request unto his Majesty, "that he will be pleased to reside near his Parliament, that both Houses may have a Convenience "of access unto him upon all Occasions.

"8. That the Lords be moved to join with this "House in some fit Course of Examination, to find "who were the Persons that gave his Majesty this "Advice, that they may be removed from his Majesty, and brought to condign Punishment.

"9. That no Charter can be granted by the King, "to create a Power in any Corporation over the Militia of that Place, without consent of Parliament.

"10. That the Lords shall be moved to join with "this House in these Votes.

"11. That the Lords shall be desired to appoint "a select Committee, that may join with a Committee of a proportionable Number of this House, "to consider and prepare what is fit to be done upon these Votes, or upon any thing else that may "arise upon this Answer of his Majesty concerning "the Militia, and concerning the Prince.

The same Day it was resolved in the House of Commons,

"That the Kingdom be forthwith put into "Posture of Defence, by Authority of both Houses, "in such a way as is already agreed upon by both "Houses of Parliament".

In pursuance of this Resolution, both Houses published the following Ordinance for settling the *Militia*:

The Parliament's Ordinance for the Militia. March 5. Rush IV. p. 526.

"Whereas there hath been of late a most dangerous and desperate Design upon the House of "Commons, which we have just Cause to believe to "be an effect of the bloody Councils of Papists and "other ill-affected Persons, who have already raised "a Rebellion in the Kingdom of *Ireland*, and by

"reason

" reaſon of many Diſcoveries, we cannot but fear 1641-1.
" they will proceed not only to ſtir up the like Rebel-
" lion and Inſurrections in this Kingdom of *England*,
" but alſo to back them with Forces from Abroad.
" For the Safety therefore of his Majeſty's Per-
" ſon, the Parliament and Kingdom in this time of
" imminent Danger; It is ordained by the Lords and
" Commons now in Parliament aſſembled, That
" *Henry* Earl of *Holland* ſhall be Lieutenant of the
" County of *Berks*, *Oliver* Earl of *Bullingbrooke* ſhall
" be Lieutenant of the County of *Bedford*, &c. and
" the ſaid Lord Lieutenants ſhall ſeverally and re-
" ſpectively have Power to aſſemble and call toge-
" ther all and ſingular his Majeſty's Subjects, within
" the ſaid ſeveral and reſpective Counties and Places,
" as well within their Liberties as without, that are
" meet and fit for the Wars, and them to train and
" exerciſe and put in readineſs, and them, after their
" Abilities and Faculties, well and ſufficiently from
" time to time to cauſe to be arrayed and weaponed,
" and to take the Muſter of them in Places fit for
" that purpoſe. And that they ſhall ſeverally and
" reſpectedly have Power within the ſeveral and re-
" ſpective Counties and Places aforeſaid, to nomi-
" nate and appoint ſuch Perſons of Quality as to
" them ſhall ſeem meet to be their Deputy-Lieute-
" nants, to be approved of by both Houſes of Par-
" liament. And be it further ordained, That Sir
" *John Gayre*, Sir *Jacob Garret* Knights, *&c.* ſhall
" have ſuch Power and Authority within the City of
" *London*, as any of the Lieutenants before named
" are authorized to have by this Ordinance, within
" the ſaid ſeveral and reſpective Counties, (the No-
" mination and Appointment of Deputy-Lieute-
" nants only accepted.) And it is further ordained,
" That ſuch Perſons as ſhall not obey in any of the
" Premiſſes, ſhall anſwer their Neglect and Con-
" tempt to the Lords and Commons in a parlia-
" mentary Way, and not otherwiſe, nor elſewhere;
" and that every the Powers granted as aforeſaid,

1641-2. " ſhall continue until it be otherwiſe ordered or de-
" clared by both Houſes of Parliament, and no
" longer."

Theſe Forces from Abroad mentioned in the Ordinances were a Chimera, framed to amuſe the People, and make them believe the King had a mind to cauſe the Kingdom to be invaded by Foreigners. For though it was very likely that the Pope and Cardinal *Richlieu* countenanced the Rebellion in *Ireland*, it could not however be affirmed that they had formed a Deſign to invade *England* in favour of the King.

March the 9th, the King being at *Newmarket*, both Houſes preſented the following Declaration to him, which ſerved for Reply to his Anſwer.

DECLARATION *of both Houſes preſented to the King at* Newmarket, March 9. 1641-2.

May it pleaſe your Majeſty,

Ruſh. IV. p. 528. " ALthough the Expreſſions in your Majeſty's
" Meſſage of the 2d of this inſtant *March*,
" do give juſt Cauſe of Sorrow to us, your faithful
" Subjects, the Lords and Commons in Parliament,
" yet it is not without ſome mixture of Confidence
" and Hope, conſidering they proceeded from the
" Miſ-apprehenſion of our Actions and Intentions,
" which having no ground of Truth or Reality,
" may by your Majeſty's Juſtice and Wiſdom be re-
" moved, when your Majeſty ſhall be fully informed,
" that thoſe Fears and Jealouſies of ours, which
" your Majeſty thinks to be cauſeleſs, and without
" any juſt Ground, do neceſſarily and clearly ariſe
" from thoſe Dangers and Diſtempers, into which
" the miſchievous and evil Councils about you have
" brought this Kingdom; and that thoſe other Fears

" and

" and Jealouſies, by which your Favour, your 1641-2.
" Royal Preſence and Confidence have been with-
" drawn from your Parliament, have no Founda-
" tion or Subſiſtance in any Action, Intention or
" Miſcarriage of ours, but are merely grounded up-
" on the Falſhood and Malice of thoſe, who, for
" the ſupporting and fomenting their own wicked
" Deſigns againſt the Religion and Peace of the
" Kingdom, do ſeek to deprive your Majeſty of the
" Strength and Affection of your People, them of
" your Grace and Protection, and thereby to ſubject
" both your Royal Perſon and the whole Kingdom
" to Ruin and Deſtruction.

" To ſatisfy your Majeſty's Judgment and Con-
" ſcience in both theſe Points, we deſire to make a
" clear and free Declaration of the *Cauſes of our*
" *Fears and Jealouſies*, which we offer to your Ma-
" jeſty in theſe Particulars:

" 1. That the Deſign of altering Religion in this,
" and in your other Kingdoms, hath been potently
" carried on by thoſe in greateſt Authority about
" you, for divers Years together, the Queen's Agent
" at *Rome*, and the Pope's Agent or Nuncio here,
" are not only Evidences of this Deſign, but have
" been great Actors in it.

" 2. That the War with *Scotland* was procured to
" make way for this Intent, and chiefly invited and
" fomented by the Papiſts, and others popiſhly af-
" fected, whereof we have many Evidences, eſpe-
" cially their free and general Contribution to it.

" 3. That the Rebellion in *Ireland* was framed and
" contrived here in *England*, and that the *Engliſh*
" Papiſts ſhould have riſen about the ſame time, we
" have ſeveral Teſtimonies and Advertiſements from
" *Ireland*; and that it is a common Speech amongſt
" the Rebels, wherewith concur other Evidences and
" Obſervations of the ſuſpicious Meetings and Con-
" ſultations, the tumultuary and ſeditious Carriage
" of thoſe of that Religion in divers Parts of this
" Kingdom about the time of the breaking out of

" the

1641-2. " the *Irish* Rebellion; the Deposition of *O Conelly*; " the Information of Mr. *Cole*, Minister; the Let- " ter of *Tristram Whitecomb*; the Deposition of *Tho-* " *mas Grant*, and many others which we may pro- " duce, do all agree in this: The publick Declara- " tions of the Lords, Gentlemen, and others of " the *Pale*, that they would join with the Rebels, " whom they call the *Irish* Army, or any other, to " *recover unto his Majesty his Royal Prerogative, wrested* " *from him by the Puritan Faction in the Houses of Par-* " *liament in* England, and to maintain the same a- " gainst all others, as also to maintain *Episcopal Ju-* " *risdiction*, and the Lawfulness thereof: *These two* " *being Quarrels*, upon which his *Majesty's late Army* " in the *North* should have been incensed against us.

" The great Cause we have to doubt that that " late Design, stiled the *Queen's pious Intention*, was " for the Alteration of Religion in this Kingdom; " for success whereof, the Pope's Nuncio, the Count " *Rosetti* enjoyned Fasting and Praying to be observed " every Week by the *English* Papists, which appeared " to us, by one of the Original Letters, directed by " him to a Priest in *Lancashire*.

" The Boldness of the *Irish* Rebels in affirming " they do nothing *but by Authority from the King*; " that they call themselves the *Queen's Army*; that " the Prey or Booty which they take from the *Eng-* " *lish* they *mark with the Queen's Mark*; that their " Purpose was to *come to* England *after they had done* " *in* Ireland, and sundry other things of this kind, " proved by *O Conelly*, and divers others, especially " in the fore-mentioned Letter from *Tristram White-* " *comb*, the *Mayor* of *Kingsale*, to his Brother *Benja-* " *min Whitecomb*, wherein there is this Passage, *That* " *many other strange Speeches they utter about Religion* " *and our Court of* England, *which he dares not com-* " *mit to Paper*.

" The manifold *Attempts to provoke your Majesty's* " *late Army*, and the *Army* of the *Scots*, and to raise " a Faction in the City of *London*, and other parts

" of

" of the Kingdom; that thoſe who have been Actors 1641-2.
" in thoſe Buſineſſes, have had their Dependance,
" their Countenance and Encouragement from the
" Court; witneſs the Treaſon whereof Mr. *Jermin*
" and others ſtand accuſed, who were *tranſported* be-
" yond *Sea*, *by Warrant under your Majeſty's Hand*,
" after your Majeſty had given Aſſurances to your
" Parliament, that your Majeſty had laid a ſtrict
" Command upon all your Servants, that none of
" them ſhould depart from Court; and that *dange-*
" *rous Petition delivered to Captain* Legg by your Ma-
" jeſty's own Hand, accompanied with a Direction
" ſigned with *C. R.*

" The falſe and ſcandalous *Accuſation* againſt the
" Lord *Kimbolton*, and the *Five Members* of the
" Houſe of Commons, *tendered to the Parliament by*
" *your Majeſty's own Command*, endeavoured to be
" juſtified in the City by your own Preſence and
" Perſuaſion, and *to be put in Execution upon their*
" *Perſons by your Majeſty's Demand of them in the*
" *Houſe of Commons*, in ſo terrible and violent a
" manner, as far exceeded all former Breaches of
" Privileges of Parliament acted by your Majeſty
" or any of your Predeceſſors; and whatſoever
" your Intentions were, *divers bloody and deſperate*
" *Perſons* which attended your Majeſty, diſcovered
" their Affections and Reſolutions *to have maſſacred*
" *and deſtroyed the Members of* that Houſe, if the
" Abſence of thoſe Perſons accuſed, had not, by
" God's Providence, *ſtopped the giving of that Word*
" which they expected, for the ſetting of them upon
" that barbarous and bloody Act; the liſting of ſo
" many Officers and Soldiers, and others, putting
" *them into pay*, and under Command of Colonels;
" *feaſting* and *careſſing them* in an unuſual manner at
" *Whitehall*, thereby maintaining them in the violent
" *Aſſaults* and other *Injuries* which they offered to di-
" vers of your *Subjects*, coming that way in a law-
" ful and *peaceable manner*; the carrying them out
" of Town, after which they were told by the Lord

1641 2. " *Digby*, that the King removed on purpose that " they might not be trampled in the Dirt; and *keeping* " *them so long in Pay*, endeavouring to engage the " Gentlemen of the *Inns of Court* in the same Course; " the plotting and designing of a *perpetual Guard* a- " bout your Majesty; the labouring to infuse into " your Majesty's Subjects an evil Opinion of the " Parliament through the whole Kingdom, and other " *Symptoms* of a Disposition of *raising Arms*, and " *dividing your People by a Civil War*; in which Com- " bustion *Ireland* must needs be lost, and this King- " dom miserably wasted and consumed, if not wholly " ruined and destroyed.

" That after a Vote had passed in the House of " Commons, declaring, That the Lord *Digby* had " appeared in a warlike Manner at *Kingston* upon " *Thames*, to the Terror and Fright of your Ma- " jesty's good Subjects, and Disturbance of the pub- " lick Peace of the Kingdom; and that therefore the " Lords should be moved to require his Attendance, " he should nevertheless be of that Credit with your " Majesty, *as to be sent away by your own Warrant to* " *Sir* John Pennington, to land him beyond the Sea, " from whence he vented his own traiterous Concep- " tions, that your Majesty should *declare your self*, " and retire to a *Place of Strength* in this Kingdom, " as if your Majesty could not be safe among your " People; and withal took that transcendent Bold- " ness to *write to the Queen*, offering to entertain " Correspondence with her Majesty by Cyphers, in- " timating some Service which he might do in those " Parts, for which he desired your Majest's Instruc- " tions, whereby in probability he intended the pro- " curing of some foreign Force to strengthen your " Majesty in that Condition, into which he would " have brought you; which false and malicious " Counsel and Advice, we have great Cause to doubt, " make too deep an Impression in your Majesty, " considering the Course you are pleased to take of " absenting your self from your Parliament, and

" carrying

" carrying the *Prince with you*, which ſeems to 1641-2.
" expreſs a Purpoſe in your Majeſty, to keep your
" ſelf in a *readineſs for the acting of it.*

" The manifold Advertiſements which we have
" had from *Rome*, *Venice*, *Paris*, and other Parts,
" that they ſtill expect that your Majeſty has ſome
" *great Deſign in Hand*, for the altering of Religion,
" the *breaking the Neck of your Parliament*, that you
" will yet find means to compaſs that Deſign; that
" the *Pope's Nuncio* hath ſollicited the Kings of
" *France* and *Spain*, to lend your Majeſty *Four*
" *Thouſand Men* a-piece to help to maintain your
" Royalty *againſt the Parliament*: And this foreign
" Force, as it is the moſt pernicious and malignant
" Deſign of all the reſt, ſo we hope it is, and ſhall
" always be fartheſt from your Majeſty's Thoughts,
" becauſe no Man can believe you will give up your
" People and Kingdom to be ſpoiled by Strangers, if
" you did not likewiſe intend to change both your
" own Profeſſion in Religion, and the publick Pro-
" feſſion of the Kingdom, that ſo you might be ſtill
" more aſſured of thoſe *foreign States* of the Popiſh
" Religion, for your future Support and Defence.

" Theſe are ſome of the Grounds of our *Fears and*
" *Jealouſies*, which make us ſo earneſtly to implore
" your Royal Authority and Protection for our
" Defence and Security, in all the ways of Humility
" and Submiſſion, which being denied by your Ma-
" jeſty, *ſeduced by evil Counſel*, we do with Sorrow
" for the great and unavoidable Miſery and Danger,
" which thereby is like to fall upon your own Perſon
" and your Kingdoms, apply our ſelves to the uſe of
" that Power, for the Security and Defence of both,
" which by the fundamental Laws and Conſtitutions
" of this Kingdom reſides in us; yet ſtill reſolving
" to keep our ſelves within the Bounds of Faithful-
" neſs and Allegiance to your ſacred Perſon and your
" Crown; ſo as to *the ſecond Sort of Jealouſies and*
" *Fears* of us expreſſed by your Majeſty, we ſhall

" give

1641-2. " give a ſhorter, but as true and faithful an An-
" ſwer.

" Whereas your Majeſty is pleaſed to ſay, that for
" your *Reſidence near the Parliament*, you wiſh it may
" be ſo ſafe and honourable, that you had no Cauſe
" to abſent your ſelf from *Whitehall*; this we take
" as the greateſt Breach of Privilege of Parliament
" that can be offered, as the heavieſt Miſery to
" your ſelf, and Imputation upon us that can be im-
" agined, and the moſt miſchievous Effects of evil
" Counſels: It roots up the ſtrongeſt Foundation of
" the Safety and Honour which your Crown affords;
" it ſeems as much as may be to caſt upon the Par-
" liament ſuch a Charge, as is inconſiſtent with the
" Nature of that great Council, being the Body,
" whereof your Majeſty is the Head; it ſtrikes at
" the very Being both of King and Parliament, de-
" priving your Majeſty in your own Apprehenſions
" of their Fidelity, and them of your Protection,
" which are the mutual Bands and Support of Go-
" vernment and Subjection.

" We have according to your Majeſty's Deſire,
" laid our Hands upon our Hearts; we have asked
" our ſelves in the ſtricteſt Examination of our Con-
" ſciences; we have ſearched our Affections, our
" Thoughts; conſidered our Actions, and we find
" none that can give your Majeſty any juſt Occaſion
" *to abſent your Self from Whitehall*, and the *Parlia-*
" *ment*; but that you may with more Honour and
" Safety continue there than in any other Place.

" Your Majeſty lays a general Tax upon us; if
" you will be graciouſly pleaſed to let us know the
" Particulars, we ſhall give a clear and ſatisfactory
" Anſwer; but what hope can we have of ever giv-
" ing your Majeſty Satisfaction, when thoſe Particu-
" lars which you have been made believe were true,
" yet being produced, and made known to us, ap-
" peared to be falſe, and your Majeſty notwithſtand-
" ing, will *neither puniſh, nor produce the Authors*,
" but go on to contract new *Jealouſies and Fears* up-

" on

" on general and uncertain Grounds, affording us 1641 2.
" no Means or Poſſibility of particular Anſwer, to
" the clearing of our ſelves? For Proof where-
" of we beſeech your Majeſty to conſider theſe In-
" ſtances:

" The Speeches alledged to be ſpoken in a Meet-
" ing of divers Members of both Houſes at *Kenſington*,
" concerning a purpoſe of *reſtraining the Queen and*
" *Prince*, which after it was denied and diſavowed,
" yet your Majeſty refuſed to name the Authors,
" though humbly deſired by both Houſes.

" The report of *Articles* framed againſt the *Queen's*
" *Majeſty*, given out by ſome of near relation to the
" Court; but when it was publickly and conſtantly
" diſclaimed, the Credit ſeemed to be withdrawn
" from it; but the Authors being kept ſafe, will al-
" ways be ready for Exploits of the ſame kind,
" wherewith your Majeſty and the Queen will be
" often troubled, if this Courſe be taken to cheriſh
" and ſecure them in ſuch wicked and malicious
" Slanders.

" The heavy Charge and Accuſation of the Lord
" *Kimbolton, and the five Members* of the Houſe of
" *Commons*, who refuſed no Tryal or Examination,
" which might ſtand with the Privilege of Parlia-
" ment; yet no Authors, no Witneſſes produced,
" againſt whom they may have Reparation, for the
" great Injury and Infamy caſt upon them; notwith-
" ſtanding three ſeveral Petitions of both Houſes,
" and the Authority of two Acts of Parliament
" vouched in the laſt of theſe Petitions.

" We beſeech your Majeſty to conſider in what
" State you are, how eaſy and fair a way to Happi-
" neſs, Honour, Greatneſs, Plenty, and Security;
" *if you will join with the Parliament*, and your faith-
" ful Subjects, in Defence of the Religion and Pub-
" lick Good of the Kingdom: This is all we expect
" from you, and for this we ſhall return to you our
" Lives, Fortunes, and uttermoſt Endeavours to
" ſupport your Majeſty, your juſt Sovereignty and

" Power

1641-2. " Power over us; but it is not Words that can ſe-
" cure us in theſe our humble Deſires: We cannot
" but too well, and ſorrowfully remember what
" gracious Meſſages we had from you this *Summer*,
" when with your Privity, the bringing *up the Army*
" *was in* Agitation; we cannot but with the like
" Affections recall to our Minds, how not two Days
" before you gave Directions for the above mention-
" ed Accuſation, and your own coming to the Com-
" mon's Houſe; that Houſe received from your
" Majeſty a gracious Meſſage, that you would always
" have a Care of their Privileges, as of your own Pre-
" rogative, of the Safety of their Perſons, as of your
" own Children. That which we expect, which will
" give us Aſſurance that you have no Thought but
" of Peace and Juſtice to your People, muſt be ſome
" real Effect of your Goodneſs to them in granting
" thoſe Things which the preſent Neceſſity of the
" Kingdom doth enforce us to deſire: And in the
" firſt Place, that your Majeſty will be graciouſly
" pleaſed to *put from you thoſe wicked and miſchievous*
" *Counſellors* which have cauſed all theſe Dangers and
" Diſtractions, and to continue your own *Reſidence*,
" and the Prince's, near *London*, and the *Parliament*,
" which we hope will be a happy beginning of Con-
" tentment and Confidence betwixt your Majeſty
" and your People, and be followed with many ſuc-
" ceeding Bleſſings of Honour and Greatneſs to your
" Majeſty, and of Security and Proſperity to them.

" The Lords and Commons have commanded us
" to preſent unto your Majeſty this further Addition
" to their former Declaration.

" That your Majeſty's Return and Continuance
" near the Parliament, is a Matter in their Appre-
" henſion of ſo great Neceſſity and Importance to-
" ward the Preſervation of your Royal Perſon and
" your Kingdoms, that they cannot think they have
" diſcharged their Duties in the ſingle Expreſſion of
" their Deſire, unleſs they add ſome farther Reaſons
" to back it with.

" 1. Your

" 1. Your Majesty's Absence will cause Men to 1641-2.
" believe, that it is out of Design to discourage the
" Undertakers, and hinder the other Provisions for
" raising Money for Defence of *Ireland*.

" 2. It will very much hearten the Rebels there,
" and disaffected Persons in this Kingdom, as being
" an Evidence and Effect of the Jealousies and Divi-
" sions betwixt your Majesty and your People.

" 3. That it will much weaken and withdraw the
" Affections of the Subjects from your Majesty, with-
" out which a Prince is deprived of his chiefest
" Strength and Lustre, and left naked to the greatest
" Dangers and Miseries, that can be imagined.

" 4. That it will invite and encourage the Ene-
" mies of our Religion, and the States in foreign
" Parts to the attempting and acting their evil De-
" signs and Intentions towards us.

" 5. That it causeth a great Interruption in the
" Proceedings of Parliament.

" These Considerations threaten so great Danger
" to your Majesty's Person, and to all your Domi-
" nions, that as your Majesty's great Council, they
" hold it necessary to represent to you this their
" faithful Advice, that so whatsoever followeth, they
" may be excused before God and Man.

It is needless to make any particular Remarks upon this Declaration. The Answers and Replies which will be seen hereafter may, better than I can, explain the Nature of the Quarrel between the King and the Parliament, and the Arguments of both.

It must only be observed in general, that according to the Custom of those who dispute together, each insisted largely upon the Things that made for him, and lightly touched upon such as were against him, or even passed them over entirely in his Answer and Reply.

What is certain, is, that in the present Situation of Affairs, the King and the Parliament had but too much Reason to mistrust one another, and that each

1641-2. laboured to procure ſuch Advantages as might put him in an offenſive or defenſive State. As for the Declarations, Meſſages, Anſwers, Replies, theſe were only for the People, it being the Intereſt of each to gain them to his Side. But the Parliament had a great Advantage in this, by reaſon of the People's Prejudice againſt the King, to which he oppoſed only general Promiſes whereof he could give no Aſſurance. And this was very advantageous to the Parliament, who pretended that in order to truſt in ſuch Promiſes, it was neceſſary the King ſhould begin with deveſting himſelf of what enabled him to break them. By that we may ſee, how intricate a Buſineſs this was.

When the Deputies of the Parliament preſented to the King the Declaration juſt mentioned, and after it was read in his Preſence, he returned this extempore general Anſwer.

The King's Anſwer given extempore. March 9. Ruſh. IV. p. 532.

I Am confident that you expect not I ſhould give you a ſpeedy Anſwer to this ſtrange and unexpected Declaration; *and I am ſorry (in the Diſtraction of this* Kingdom) *you ſhould think this way of Addreſs to be more convenient, than that propoſed by* my Meſſage of the 20th of January laſt, to both the Houſes.

As concerning the Grounds of your Fears and Jealouſies, I will take time to Anſwer particularly, and doubt not but I ſhall do it to the Satisfaction of all the World. God in his good Time, will, I hope, diſcover the Secrets and Bottoms of all ſuch Plots and Treaſons; and then I ſhall ſtand right in the Eyes of my People; in the mean time I muſt tell you, that I rather expected a Vindication for the Imputation laid on me by Mr. Pym's *Speech; than that any more general Rumours and Diſcourſes ſhould get Credit with you.*

For my Fears and Doubts, I did not think they ſhould have been thought ſo groundleſs or trivial, while ſo many ſeditious Pamphlets and Sermons are looked upon, and ſo great Tumults are remembered, unpuniſhed, and uninquired into: I ſtill confeſs my Fears, and call God to

Witneſs, that they are greater for the true Proteſtant Profeſſion (a), *my People, and Laws, than for my own Rights or Safety; though I muſt tell you, I conceive that none of theſe are free from Danger.* 1641-2.

What would you have? Have I violated your Laws? Have I denied to paſs any Bill *for the eaſe and ſecurity of my Subjects? I do not ask you, what you have done for me.*

Have any of my People been tranſported with Fears and Apprehenſions? I have offered a free and general Pardon, as your ſelves can deviſe. All this conſidered, there is a Judgment from Heaven upon this Nation, if theſe Diſtractions continue.

God ſo deal with me and mine, as all my Thoughts and Intentions are upright for the Maintainance of the true Proteſtant Profeſſion, and for the Obſervation and Preſervation of the Laws of the Land; and I hope God will bleſs and aſſiſt thoſe Laws for my Preſervation.

As for the additional Declaration, you are to expect an Anſwer to it, when you ſhall receive the Anſwer to the Declaration itſelf.

The King gives the Deputies this Anſwer in Writing. Ruſh. IV. P. 533.

On the Morrow the King gave the general Anſwer to the Deputies in Writing, which he had delivered by Word of Mouth the Day before.

The King's raſh Anſwer to the Earl of Pembroke

After that, the Earl of *Pembroke*, one of the Deputies, asking him whether he would grant the *Militia* as was deſired by the Parliament for a Time, *No*, anſwered the King, *by God, not for an Hour* *. This Anſwer did him a vaſt Injury. His main concern was to ſatisfy the People that his Promiſes might be relied upon, and yet he ſhowed, that he had no Intention to keep that he had made to the Parliament, to grant the *Militia* when he ſhould know for how

(a) He meant the *Church of England*, in Oppoſition to *Presbyterianiſm*.

* Adding, *You have asked that of me in this, was never asked of any King, and with which I will not truſt my Wife and Children.* Ruſh. IV.

1641-2. long a Term, since he refused to grant it even for an Hour.

If the Parliament had hitherto placed but little Confidence in the King's Promises, this did not help to increase it. On the other Hand, the harsh and disrespectful Manner both Houses used towards the King in their Declaration, very much incensed him, and rendered a Rupture unavoidable. For my part, I verily believe that the hard Things the Parliament said to the King in the Declaration were inserted by the Direction of some of the Leaders of the Party, on purpose to widen the Breach, and make a Reconciliation impracticable. And indeed, it is to be presumed that if the King had then granted the *Militia* for two or three Months, both Houses would have been very much at a loss what use they should have made of it. They would have had no Pretence to employ it against him, since he would have clearly showed that it was not his Fault that their Fears were not removed. But it is certain, he had to deal with abler Heads than himself and his Council. Besides, he was then full of the Design to seize *Hull*, which hindered him doubtless from seriously attending to what was most for his Advantage.

The King informs the House of his Design to reside at York. Rush. IV. p. 533.

March the 15th, the King being at *Huntington*, sent a Message to both Houses, to inform them that he intended to make his Residence at *York* for some Time. He recommended to them withal the Business of *Ireland*. As to the *Militia*, he told them, "That as he had always been so tender of the Pri- "vileges of Parliament, that he had been ready and "forward to retract any Act of his own, which he "had been informed had trencht upon their Privi- "leges; so he expected an equal Tenderness in them "of his known and unquestionable Privileges; a- "mong which, he was assured it is a fundamental "one, *that his Subjects cannot be obliged to obey any "Act, Order, or Injunction, to which his Majesty hath "not given his Consent:* That therefore he expected "and required Obedience from all his Subjects to

"the

" the Laws eſtabliſhed, being reſolved to keep the 1641-2.
" Laws himſelf, and to require Obedience to them
" from all his Subjects.

Next Day, the *Commons* paſſed the following *Votes*, which were approved by the Lords.

' That the Houſe ſhould inſiſt upon their former ' Votes concerning the *Militia*.
' That the King's Abſence, ſo far remote from ' his Parliament, was not only an Obſtruction, but ' might be a Deſtruction to the Affairs of *Ireland*.
' That when the Parliament *, which is the ſu- ' preme Court of Judicature in the Kingdom, ſhall ' declare *what the Law of the Land is*, to have this ' not only queſtioned and controverted, but contra- ' dicted; and a Command, that it ſhould not be o- ' beyed, is a high Breach of the Privilege of Parlia- ' ment. (1)
' That a Committee ſhall be appointed by the ' Houſe to join with a Committee of Lords to en- ' quire where this Meſſage was framed.
' That thoſe Perſons that did adviſe his Majeſty ' to abſent himſelf from the Parliament, are Enemies

Votes of the Houſe of Commons. March 16. Ruſh. IV. P. 534.

REMARK (1). *The Commons uſe here the equivocal Word* [*Parliament*] *in an improper Senſe. It is true, the Parliament, which conſiſts of the King and the two Houſes, has a right to declare what is Law; to make New and repeal Old Laws, becauſe the Authority of both Houſes, with the Royal Aſſent, is deemed the Authority of the whole Kingdom. But before now, the two Houſes alone had never enjoyed this Right. Nay, in ſtrictneſs, the two Houſes cannot be called the Parliament, becauſe the Parliament is a Body compoſed of three Members, and not two only,* [*namely, King, Lords, and Commons.*]

* In *Ruſhworth* the Words are, *When the Lords and Commons in Parliament.* Ruſh. IV. *p.* 34.

1641-2. ‘ to the Peace of this Kingdom, and justly suspected ‘ to be Favourers of the Rebellion in *Ireland*, as are ‘ also those that advised his Majesty to this Mes- ‘ sage”.

It was at the same time resolved upon the Question by the Lords in Parliament, *Nemine Contradicente*,

Votes of the Lords. Ibid. ‘ That the Ordinance of the Lords and Commons ‘ in Parliament for the Safety and Defence of the ‘ Kingdom of *England* and Dominions of *Wales*, is ‘ not any way against the Oath of *Allegiance*.

‘ That the several Commissions granted under the ‘ Great-Seal to the Lieutenants of the several Coun- ‘ ties, are illegal and void.

‘ That whosoever shall execute any Power over ‘ the Militia of this Kingdom and Dominion of *Wales*, ‘ by colour of any Commission of Lieutenancy, ‘ without consent of both Houses of Parliament, ‘ shall be accounted a Disturber of the Peace of this ‘ Kingdom.

‘ Moreover, both Houses voted with one common ‘ Consent, That the Kingdom hath been of late, and ‘ still is in so evident and imminent Danger, both ‘ from Enemies Abroad, and a Popish Party at ‘ Home; That there is an urgent and inevitable Ne- ‘ cessity of putting his Majesty's Subjects into a ‘ Posture of Defence, for the Safeguard both of his ‘ Majesty and his People.

‘ That the Lords and *Commons* fully apprehending ‘ this Danger, and being sensible of their own Duty, ‘ to provide a suitable Prevention, have in several ‘ Petitions addressed themselves to his Majesty for the ‘ ordering and disposing of the Militia of the King- ‘ dom, in such a way as was agreed upon by the ‘ Wisdom of both Houses to be most effectual and ‘ proper for the present Exigents of the Kingdom; ‘ yet could not obtain it, but his Majesty did seve- ‘ ral times refuse to give his Royal Assent there- ‘ unto.

“ That

'That in this Caſe of extreme Danger, and of 1641-2.
'his Majeſty's Refuſal, the Ordinance agreed on by
'both Houſes for the Militia, doth oblige the
'People, and ought to be obeyed by the fundamen-
'tal Laws of this Kingdom.

'That ſuch Perſons as ſhall be nominated Depu-
'ty-Lieutenants, and approved of by both Houſes,
'ſhall receive the Commands of both Houſes, to
'take upon them to execute their Offices".

Theſe Reſolutions were taken with a great deal of Precipitation, for the two Houſes had not yet received the King's Anſwer to their Declaration of the 9th of *March*. But as by his laſt Meſſage the King had ſufficiently ſhown that he intended not to depart from his Right concerning the *Militia*, they thought it needleſs to wait for a more particular Notification. Some time after the King ſent them his Anſwer in Form of Declaration.

The KING'S *Declaration to both Houſes of Parliament, in Anſwer to that preſented to him at* Newmarket, March 9. 1641-2. *

'THough the Declaration lately preſented to us Ruſh. IV.
'at *Newmarket* from both our Houſes of Par- p. 535.
'liament be of ſo ſtrange a Nature, in reſpect of
'what we expected, (after ſo many Acts of Grace
'and Favour to our People) and ſome Expreſſions
'in it ſo different from the uſual Language to Princes,
'that we might well take a very long time to con-
'ſider it: Yet the Clearneſs and Uprightneſs of our

* This Declaration is without Date; it was ſent from *York* a few Days after his coming thither, ſays the Lord *Clarendon*, Vol. II. p. 459.

1641-2. ‘ Conſcience to God, and Love to our Subjects, hath ‘ ſupplied us with a ſpeedy Anſwer, and our un- ‘ ſpeakable Affection to our People prevailed with ‘ us to ſuppreſs that Paſſion, which might well ‘ enough become us upon ſuch an Invitation.

‘ We have reconſidered our Anſwer of the firſt of ‘ this Month at *Theobalds*, which is urged to have ‘ given juſt Cauſe of Sorrow to our Subjects. Who- ‘ ſoever looks over that Meſſage, (which was in ef- ‘ fect to tell us, that if we would not join with them ‘ in an Act we conceived prejudicial and dangerous ‘ to us and the whole Kingdom, they would make ‘ a Law without us, and impoſe it upon our People) ‘ will not think that ſudden Anſwer can be excepted ‘ to.

‘ We have little Encouragement to Replies of this ‘ Nature, when we are told of how little value our ‘ Words are like to be with you ; though they come ‘ accompanied with all the Actions of Love and ‘ Juſtice (where there is room for Actions to ac- ‘ company them) yet we cannot but diſavow the ‘ having any ſuch evil Council or Counſellors to our ‘ knowledge, as are mentioned ; and if any ſuch be ‘ diſcovered, we will leave them to the Cenſure and ‘ Judgment of our Parliament: In the mean time ‘ we could wiſh, that our own immediate Actions, ‘ which we avow, and our Honour might not be ſo ‘ roughly cenſured and wounded, under that com- ‘ mon Stile of evil Counſellors.

‘ For our faithful and zealous Affection for the ‘ Proteſtant Profeſſion, and our Reſolution to con- ‘ cur with our Parliament in any poſſible Courſe for ‘ the Propagation of it, and the Suppreſſion of Po- ‘ pery, we can ſay no more than we have already ex- ‘ preſſed in our Declaration to our loving Subjects, ‘ publiſhed in *Ireland* by the Advice of our Privy- ‘ Council, in which we endeavoured to make as ‘ lively a Confeſſion of our Self in this point, as we ‘ were able, being moſt aſſured, that the conſtant ‘ Practice of our Life hath been anſwerable thereun-

'to; and therefore we did rather expect a Teſtimo- 1641—2.
'ny and Acknowledgment of ſuch our Zeal and
'Piety, than thoſe Expreſſions we met with in the
'Declaration of any Deſign of altering Religion in
'this Kingdom; and we do (out of the Innocence
'of our Soul) wiſh, that the Judgments of Heaven
'may be manifeſted upon thoſe who have, or have
'had any ſuch Deſign. (1)

'As for the *Scotch* Troubles, we had well thought
'that thoſe unhappy Differences had been wrapt up
'in perpetual Silence by the Act of Oblivion,
'which being ſolemnly paſſed in the Parliaments of
'both Kingdoms, ſtops our Mouth from any other
'Reply, than to ſhew our great Diſlike for reviving
'the Memory thereof. (2)

'If the Rebellion in *Ireland*, (ſo odious to all
'Chriſtians) ſeems to have been framed and main-
'tained in *England*, or to have any Countenance from
'hence, we conjure both our Houſes of Parliament,
'and all our loving Subjects whatſoever, to uſe all
'poſſible means to diſcover and find ſuch out, that
'we may join in the moſt exemplary Vengeance upon
'them that can be imagined; but we muſt think our
'ſelves highly and cauſeleſly injured in our Reputa-
'tion, if any Declaration, Action or Expreſſion of
'the *Iriſh* Rebels, any Letters from Count *Roſetti* to
'the Papiſts for Faſting and Praying, or from *Triſtram*
'*Whitecomb*, of ſtrange Speeches uttered in *Ireland*,

REMARK (1). *This Article of the King's Anſwer ſeems very weak. For the Parliament having ſet forth, in their Declaration, the Reaſons why they believed there was a ſettled Deſign to alter Religion in* England, *and that the King encouraged the Authors, his Majeſty only anſwers in Generals.*

REM. (2). *It is very viſible, the King is willing to avoid entering into Particulars upon this Head, though being attacked by the Parliament, he might have vindicated himſelf without infringing the Peace between the two Kingdoms, or the Act of Oblivion.*

'ſhall

1641—2. ‘ ſhall beget any Jealouſy or Miſapprehenſion in our ‘ Subjects, of our Juſtice, Piety and Affection, it ‘ being evident to all Underſtandings, that thoſe ‘ miſchievous and wicked Rebels are not ſo capable ‘ of great Advantage, as by having their falſe Diſ- ‘ courſes ſo far believed, as to raiſe Fears and Jea- ‘ louſies to the Diſtraction of this Kingdom, the ‘ only way to that Security: and we cannot expreſs a ‘ deeper Senſe of the Suffering of our poor Pro- ‘ teſtant Subjects in that Kingdom, than we have ‘ done in our often Meſſages to both Houſes, by ‘ which we have offered, and are ſtill ready to ven- ‘ ture our Royal Perſon for their Redemption; ‘ well knowing, that as we are (in our own Intereſt) ‘ more concerned in them, ſo we are to make a ‘ ſtrict Account to Almighty God, for any Neg- ‘ lect of our Duty, or their Preſervation. (3)

‘ For the manifold Attempts to provoke our late ‘ Army, and the Army of the *Scots*, and to raiſe a ‘ Faction in the City of *London*, and other parts of ‘ the Kingdom; if it be ſaid, as relating to us, we ‘ cannot without great Indignation ſuffer our ſelves ‘ to be reproached, to have intended the leaſt Force ‘ or Threatning to our Parliament, as the being ‘ privy to the bringing up of the Army would im- ‘ ply; whereas we call God to witneſs, we never had ‘ any ſuch Thought, or knew of any ſuch Reſolu- ‘ tion concerning our late Army. (4)

“ For

REM. (3). *The King continues here to clear himſelf from the Suſpicions conceived againſt him with regard to* Ireland *by Generals, and his own Teſtimony. But theſe Proofs taken from his Word, and other outward Demonſtrations, were not ſufficient to ſatisfy every body. The Parliament did not accuſe him of having been wanting in Expreſſions of Zeal for the reducing of* Ireland, *but of having neglected the Thing in effect.*

REM. (4). *We have ſeen in the Account of that Conſpiracy, what were the ſeveral Projects of the Conſpirators,*

'For the Petition ſhewed to us by Captain *Legg*, 1641-2.
'we well remember the ſame, and the Occaſion of
'that Conference: Captain *Legg* being lately come
'out of the *North*, and repairing to us at *Whitehall*;
'we asked him of the State of our Army, and (af-
'ter ſome relation made of it) he told us, that the
'Commanders and Officers of the Army had a mind
'to petition the Parliament, as others of our People
'had done, and ſhewed us the Copy of a Petition,
'which we read, and finding it to be very humble,
'deſiring the Parliament might receive no Interrup-
'tion in the Reformation of the Church and State,
'to the Model of Queen *Elizabeth*'s Days; we told
'him, we ſaw no harm in it; whereupon he replied,
'that he believed all the Officers in the Army would
'like it, only he thought Sir *Jacob Aſhly* would be
'unwilling to ſign it, out of fear that it might diſ-
'pleaſe us. We then read the Petition over again,
'and then obſerving that neither in Matter or Form,
'we conceived it could poſſibly give juſt Cauſe of
'Offence. We delivered it to him again, bidding him
'give it to Sir *Jacob Aſhly*, for whoſe Satisfaction we
'had written *C. R.* upon it, to teſtify our Approba-
'tion: And we wiſh that the Petition might be ſeen
'and publiſhed, and then we believe it will appear
'no dangerous one, nor a juſt Ground for the leaſt
'Jealouſies or Miſapprehenſion. (5)

'For

tors, and that indeed they came to no Reſolution, particularly as to the bringing up the Army to London. *The King certainly knew all the Circumſtances of the Plot; but as there was nothing reſolved, he artfully ſticks here to the denying that he was privy to any Reſolution, which is matter of Fact, for in truth there was no Reſolution taken. This did not hinder but that he knew of the Deſign in general to gain the Army, of which he ſays not a Word.*

REM. (5). *If we compare what the King ſays here of the Contents of this Petition, with that the Lord* Clarendon

1641-2. ‘ For Mr. *Jermin*, it is well known that he was ‘ gone from *Whitehall*, before we received the Desires ‘ of both Houses for the Restraint of our Servants, ‘ neither returned he hither, or passed over by any ‘ Warrant granted by us after that time. (6)

‘ For the Breach of Privilege in the Accusation of ‘ the Lord *Kimbolton*, and the other five Members of ‘ the House of Commons, we thought we had given ‘ so ample Satisfaction in our several Messages to ‘ that purpose, that it should be no more pressed a- ‘ gainst us; being confident, if the Breach of Pri- ‘ vilege had been greater than ever before offered, ‘ our Acknowledgment and Retraction hath been ‘ greater than ever King hath given; besides, the ‘ not examining how many of our Privileges have ‘ been invaded in Defence and Vindication of the ‘ other; and therefore we hoped our true and ear- ‘ nest Protestation in our Answer to your Order con- ‘ cerning the *Militia*, would so far have satisfied you ‘ of our Intentions then, that you would no more ‘ have entertained any Imagination of any other De- ‘ sign than we there expressed. (7)

Clarendon *has inserted in his History, we shall find the Lord* Clarendon's *cannot be the same as that the King writ* C. R. *upon.*

The King's Word must be taken, to believe that this same Petition had nothing in it prejudicial to the Parliament. For hitherto it has never appeared.

REM. (6). *It is certain,* Jermin *went beyond Sea by the King's Warrant. It may be, the King had granted the Warrant before he received the Parliament's Petition: but the Parliament pretended the Warrant was antidated.*

REM. (7). *The King was much mistaken in imagining that bare Protestations were capable of satisfying the Parliament of the Sincerity of his Intentions. Nay, the very Declaration he was answering, might have convinced him of the contrary, since it was there said in plain terms, his word was not to be relied upon.*

‘ But

'But why the liſting of ſo many Officers, and 1641—2.
'entertaining them at *Whitehall*, ſhould be miſcon-
'ſtrued, we much marvel, when it is notoriouſly
'known, the Tumults at *Weſtminſter* were ſo great,
'and their Demeanors ſo ſcandalous and ſeditious,
'that we had good Cauſe to ſuppoſe our Perſon,
'and thoſe of our Wife and Children to be in ap-
'parent Danger, and therefore we had great Reaſon
'to appoint a Guard about us, and to accept the
'dutiful Tender of the Services of any of our loving
'Subjects, which was all we did to the Gentlemen of
'the *Inns of Court*.

'For the Lord *Digby*, we aſſure you in rhe Word
'of a King, that he had not our Warrant to paſs
'the Seas, and had left our Court before we ever
'heard of the *Vote* of the Houſe of *Commons*, or had
'any Cauſe to imagine, that his Abſence would
'have been excepted againſt.

'What your Advertiſements are from *Rome*,
'*Venice*, *Paris*, and other Parts, or what the *Pope*'s
'Nuncio ſollicits the Kings of *France* or *Spain* to do,
'or from what Perſons ſuch Informations come to
'you, or how the Credit of ſuch Perſons have been
'ſifted and examined, we know not; but are confi-
'dent no ſober, honeſt Man in our Kingdoms can
'believe, that we are ſo deſperate, or ſo ſenſeleſs to
'entertain ſuch Deſigns, as would not only bury this
'Kingdom in ſudden Diſtraction and Ruin, but our
'Name and Poſterity in perpetual Scorn and In-
'famy; and therefore we could have wiſhed, that
'in Matters of ſo high and tender a Nature
'(wherewith the Minds of our good Subjects muſt
'needs be ſtartled) all the Expreſſions were ſo
'plain and eaſy, that nothing might ſtick with them
'with Reflection upon us, ſince you thought fit to
'publiſh it all.

'And having now dealt thus plainly and freely
'with you by way of Anſwer to the particular
'Grounds of your Fears; we hope (upon a due

'Con-

1641—2. ‘ Consideration, and weighing both together) you ‘ will find not the Grounds to be of that Moment ‘ to beget, or longer to continue a Misunderstanding ‘ betwixt us, or force you to apply your selves to ‘ the Use of any other Power than what the Law ‘ hath given you, the which we always intend shall ‘ be the Measure of our own Power, and expect ‘ it shall be the Rule of our Subjects Obedience.

‘ Concerning our Fears and Jealousies; as we ‘ had no Intention of accusing you, so we are sure ‘ no words spoken by us (on the sudden) at *Theobalds*, will bear that Interpretation. We said, for ‘ our Residence near you, we wish it might be so ‘ safe and honourable, that we had no Cause to ‘ absent our self from *Whitehall*; and how this can ‘ be Breach of Privilege of Parliament we cannot ‘ understand. We explained our Meaning in our ‘ Answer at *Newmarket*, at the Presentation of this ‘ Declaration, concerning the printed seditious Pamphlets and Sermons, and the great Tumults at ‘ *Westminster*; and we must appeal to you and all ‘ the World, whether we might not justly suppose ‘ our Self in danger of either: And if we were ‘ now at *Whitehall*, what Security have we that ‘ the like shall not be again; especially if any ‘ Delinquents of that Nature have been apprehended by the Ministers of Justice, and been rescued by the People, and so as yet escape unpuished? If you have not been informed of the ‘ seditious Words used in, and the Circumstances ‘ of those Tumults, and will appoint some way ‘ for the Examination of them, we will require ‘ some of our learned Council to attend with ‘ such Evidence as may satisfy you, and till that ‘ be done, or some other Course be taken for ‘ our Security, you cannot (with Reason) wonder ‘ that we intend not to be, where we most desire ‘ to be.

‘ And

'And can there yet want Evidence of our hearty 1641-2.
'and importunate Desire to join with our Parliament
'and all our faithful Subjects, in Defence of the Re-
'ligion and publick Good of the Kingdom? Have
'we given you no other earnest but Words, to se-
'cure you of these Desires? The very Remonstrance
'of the House of *Commons* (published in *November*
'last,) of the State of the Kingdom, allows us a
'more real Testimony of our good Affections, than
'Words: That Remonstrance valued our Acts of
'Grace and Justice (8) at so high a rate, that it de-
'clared the Kingdom to be a Gainer, though it
'charged it self by *Bills* of *Subsidies*, and *Poll-Money*,
'with the levy of 600000 *l.* besides the contracting
'of a Debt to our *Scotch* Subjects of 220000 *l.* (9).

'Are the *Bills* for the Triennial Parliament, relin-
'quishing our Title of imposing upon Merchandize,
'and Power of pressing Soldiers, for the taking a-
'way the *Star-Chamber*, and *High-Commission-Courts*,
'for the regulating the Council-Table, but Words?
'Are the *Bills* for the *Forests*, the *Stannery-Courts*,
'the Clerk of the Market, and the taking away the
'Votes of the Bishops out of the Lords House, but
'Words? Lastly, What greater Earnest of our
'Trust and Reliance on our Parliament, could we,
'or can we give, than the passing of a Bill for the
'continuance of the present Parliament? The length
'of which we hope will never alter the Nature of
'Parliament,

REM. (8). *Hitherto the King had not spoken of his Assent to the* Acts *of this Parliament, but as an* Act of Grace. *He began in this* Paper *to add, of* Justice.

REM. (9). *It is true the Nation had been great Gainers by these Acts of Grace and Justice. But the King could not make to be considered as a convincing Proof of his Love for his People, the giving his Consent that the illegal Taxes of his own imposing should be abolished, and the Monopolies authorized by himself, suppressed. Especially as it was not altogether in his Power to refuse his Assent.*

1641-2. ‘ Parliament, and the Conſtitution of this Kingdom, ‘ or invite our Subjects ſo much to abuſe our Confi- ‘ dence, as to eſteem any Thing fit for the Parlia- ‘ ment to do, which were not, if it were in our ‘ Power to diſſolve it to Morrow. And after all ‘ theſe, and many other Acts of Grace on our Part ‘ (that we might be ſure of a perfect Reconciliation ‘ betwixt us and all our Subjects) we have offered, ‘ and are ſtill ready to grant a Free and General Par- ‘ don, as ample as your ſelves ſhall think fit. Now ‘ if theſe be not real Expreſſions of the Affections of ‘ our Soul, for the publick Good of our Kingdom; ‘ we muſt confeſs, that we want Skill to manifeſt ‘ them (10).

‘ To conclude, (although we think our Anſwer al- ‘ ready full to that Point concerning our return to ‘ *London*;) we are willing to declare, that we look ‘ upon it as a Matter of ſo great Weight, as with re- ‘ ference to the Affairs of the Kingdom, and our ‘ own Inclinations and Deſires, that if all we can ſay ‘ or do, can raiſe a mutual Confidence (the only ‘ way with God's Bleſſing to make us all Happy) ‘ and by your Encouragement the Laws of the Land, ‘ and the Government of the City of *London*, may ‘ recover ſome Life for our Security, we will over- ‘ take your Deſires, and be as ſoon with you as you ‘ can wiſh; and in the mean Time we will be ſure ‘ that neither the Buſineſs of *Ireland*, or any other ‘ Advantage for this Kingdom ſhall ſuffer through ‘ our default, or by our Abſence; we being ſo ‘ far from repenting our Acts of Juſtice and Grace, ‘ which we have already performed to our People,

REM. (10). *A ſort of Sophiſtry runs quite through this Article, conſiſting of the Suppoſition that the King had conſented to all theſe* Acts, *purely out of Love and Affection for his People, which few Perſons believed. Beſides, all theſe Acts having been made only to ſuppreſs the Abuſes introduced by the King himſelf, there was no occaſion, methinks, to talk ſo much of them.*

‘ that

'that we ſhall with the ſame Alacrity be ſtill ready 1641-2.
'to add ſuch new ones, as may beſt advance the
'Peace, Honour, and Proſperity of this Nation.

Before the Parliament received this Anſwer, they had ſent another Petition to the King in reply to his Majeſty's ſudden Anſwer to the Declaration delivered at *New-Market*. Though theſe Anſwers and Replies be ſomewhat long and full of Repetitions, yet I think it neceſſary to inſert them at large, to the end the Reader may be able to paſs an impartial Judgment upon this Quarrel. For in Matters of this Nature, and eſpecially in this which has given Birth to two Parties ſtill in Being in *England*, a Man runs the risk of falling into groſs Miſtakes, if he reſts upon the Credit and Prejudices of the Hiſtorians, who are all of one Party or other. It will be better therefore to leave the Reader at Liberty to judge of it himſelf upon the Parties own Papers. Here follows the Parliament's Petition.

May it pleaſe your Majeſty,

'YOUR moſt loyal Subjects, the Lords and 1642.
'Commons aſſembled in Parliament, cannot *The Reply of both Houſes to the King's Anſwer given to their Declaration.* March 26. Ruſh. IV. P. 538.
'conceive that the Declaration which your Majeſty
'received from us at *New-Market*, was ſuch as did
'deſerve that Cenſure your Majeſty was pleaſed to
'lay upon us in that Speech, which your Majeſty
'made to our Committees there, and ſent in Wri-
'ting to both Houſes; our Addreſs therein being
'accompanied with Plainneſs, Humility, and Faith-
'fulneſs, we thought more proper for the removing
'the Diſtraction of the Kingdom, than if we had
'then proceeded according to your Majeſty's Meſ-
'ſage of the 20th of *January*, by which your Ma-
'jeſty was pleaſed to deſire that we would declare
'what we intended to do for your Majeſty, and
'what we expected to be done for our ſelves; in both
'which we have been very much hindered by your

1642. ‘ Majesty's Denial to secure us and the whole Kingdom, by disposing the *Militia*, as we had divers times most humbly petitioned; and yet we have not been altogether negligent of either, having lately made good Proceedings in preparing a Book of Rates to be passed in a Bill of Tonnage and Poundage; and likewise the most material Heads of those humble Desires, which we intended to make to your Majesty, for the Good and Contentment of your Majesty and your People; but none of these could be perfected before the Kingdom be put into Safety, by settling the *Militia*: And until your Majesty shall be pleased to concur with your Parliament in these necessary Things, we hold it impossible for you to give the World, or your People, such Satisfaction concerning the Fears and Jealousies which we have expressed, as we hope your Majesty hath already received touching that Exception, which you were pleased to make to Mr. *Pym*'s Speech.

‘ As for your Majesty's Fears and Doubts, the Ground whereof is from seditious Pamphlets and Sermons, we shall be as careful to endeavour the removal, as soon as we shall understand what Pamphlets and Sermons are by your Majesty intended, as we have been to prevent all dangerous Tumults. And if any extraordinary Concourse of People out of the City of *Westminster*, had the Face and Shew of Tumult and Danger in your Majesty's Apprehension, it will appear to be caused by your Majesty's Denial of such a Guard to your Parliament, as they might have cause to confide in; and by taking into *Whitehall* such a Guard for your Self, as gave just Cause of Jealousie to the Parliament, and of Terror and Offence to your People; we seek nothing but your Majesty's Honour, and the Peace and Prosperity of your Kingdoms; and we are heartily sorry we have such plentiful Matter of an Answer to that Question, Whether you had violated our Laws?

‘ We

'We beſeech your Majeſty to remember that the 1642.
'Government of this Kingdom, as it was in a great
'part managed by your Miniſters before the begin-
'ning of this Parliament, conſiſted of many continu-
'ed and multiplied Acts of Violation of the Laws;
'the Wounds whereof were ſcarcely healed, when
'the extremity of all thoſe Violations was far exceed-
'ed by the late ſtrange and unheard-of Breach of
'our Laws, in the Accuſation of the Lord *Kimbol-*
'*ton*, and five Members of the Commons Houſe,
'and in the Proceedings thereupon, for which we
'have received no full Satisfaction.

'To your Majeſty's next Queſtion, Whether you
'had denied any Bill, for the Eaſe and Security of
'your Subjects, we wiſh we could ſtop in the midſt
'of our Anſwer; That with much Thankfulneſs we
'acknowledge that your Majeſty hath paſſed many
'good Bills, full of Contentment and Advantage
'to your People; but Truth and Neceſſity inforceth
'us to add this, that even in or about the Time of
'paſſing thoſe Bills, ſome Deſign or other hath been
'on Foot; which if it had taken Effect, would not
'only have deprived us of the Fruit of thoſe Bills,
'but even have reduced us to a worſe Condition of
'Confuſion, than that wherein the Parliament found
'us.

'And if your Majeſty had asked us the third Queſ-
'tion, intimated in that Speech, What we had done
'for your Self? our Anſwer would have been much
'more eaſy, That we had paid two Armies, where-
'with the Kingdom was burthened laſt Year; and
'have undergone the Charge of the War in *Ireland*,
'at this time, when through many other exceſſive
'Charges and Preſſures, your Subjects have been ex-
'hauſted, and the Stock of the Kingdom very much
'diminiſhed; which great Miſchiefs, and the Charges
'thereupon enſuing, have been occaſioned by the
'evil Councils ſo powerful with your Majeſty, which
'have, and will have coſt this Kingdom more than

1642. ‘ two Millions, all which in Juſtice ought to have
‘ been born by your Majeſty.

‘ As for that free and general Pardon your Ma-
‘ jeſty has been pleaſed to offer, it can be no Secu-
‘ rity to our Fears and Jealouſies, for which your
‘ Majeſty ſeems to propound it, becauſe they ariſe
‘ not from any Guilt of our own Actions, but from
‘ the evil Deſigns and Attempts of others.

‘ To this our humble Anſwer to that Speech we
‘ deſire to add an Information, which we lately re-
‘ ceived from the Deputy-Governour of the Mer-
‘ chant-Adventurers at *Rotterdam* in *Holland*, that an
‘ unknown Perſon appertaining to the Lord *Digby*,
‘ did lately ſollicite one *James Henly*, a Mariner,
‘ to go to *Elſenore*, and to take Charge of a Ship in
‘ the Fleet of the King of *Denmark*, there prepared,
‘ which he ſhould conduct to *Hull*; in which Fleet
‘ likewiſe, he ſaid, a great Army was to be tranſ-
‘ ported: And although we are not apt to give Cre-
‘ dit to Informations of this Nature; yet we cannot
‘ altogether think it fit to be neglected, but that it
‘ may juſtly add ſomewhat to the Weight of our
‘ Fears and Jealouſies, conſidering with what Cir-
‘ cumſtances it is accompanied, with the Lord *Digby*'s
‘ preceeding Expreſſions in his Letter to her Majeſty
‘ and Sir *Lewis Dives*, and your Majeſty's ſucceeding
‘ Courſe of withdrawing your Self *Northwards* from
‘ your Parliament, in a manner very ſuitable and
‘ correſpondent to that evil Council, which we doubt
‘ will make much deeper Impreſſion in the generality
‘ of your People; and therefore we moſt humbly
‘ adviſe and beſeech your Majeſty for the procuring
‘ and ſettling the Confidence of your Parliament,
‘ and all your Subjects; and for the other impor-
‘ tant Reaſons concerning the recovery of *Ireland*,
‘ and ſecuring this Kingdom, which have been for-
‘ merly preſented to your Majeſty; you will be gra-
‘ ciouſly pleaſed (with all convenient ſpeed) to return
‘ to theſe Parts, and to cloſe with the Council and
‘ Deſire of your Parliament, where you ſhall find

‘ their

'their dutiful Affections and Endeavours ready to 1642.
'attend your Majeſty with ſuch Entertainment, as
'ſhall not only give your Majeſty juſt Cauſe of Se-
'curity in their Faithfulneſs, but other manifold E-
'vidences of their earneſt Intentions and Endeavours
'to advance your Majeſty's Service, Honour, and
'Contentment, and to eſtabliſh it upon the ſure
'Foundation of the Peace and Proſperity of all your
'Kingdoms.'

This *Petition* was preſented to the King at *York*, the 26th of *March*. He had already ſent away his Anſwer to the Declaration of both Houſes, and therefore he mentions it in his Anſwer to this laſt Petition.

The KING's ANSWER (*a*) *.

'IF you would have had the Patience to have ex- Ruſh. IV. p. 539.
'pected our Anſwer to your laſt Declaration
'(which conſidering the Nature of it, hath not been
'long in coming) we believe you would have ſaved
'your ſelves the labour of ſaying much of this Meſ-
'ſage; and we could wiſh that our Privileges in all
'Parts were ſo ſtated, that this way of Correſpon-
'dence might be preſerved with that Freedom which
'hath been uſed of old; for we muſt tell you, that
'if you may ask any Thing of us by way of Meſ-
'ſage or Petition, and in what Language (how un-
'uſual ſoever) you think fit, and we muſt neither
'deny the Thing you ask, nor give a Reaſon why
'we cannot grant it, without being taxed with break-
'ing your Privileges, or being counſelled by thoſe
'who are Enemies of the Peace of the Kingdom,
'and Favourers of the *Iriſh* Rebellion (for we have
'ſeen your printed *Votes*, upon our Meſſage from
'*Huntington*) you will reduce all our Anſwers here-

(*a*) Without date. * It was ſent back by the ſame Hands that brought the Petition. *Clarend.* II p. 469.

1642. ‘ after into a very little room: In plain *Engliſh*, it ‘ is to take away the Freedom of our Vote, which ‘ were we but a Subject were high Injuſtice; but be- ‘ ing your King, we leave all the World to judge ‘ what it is (1).

‘ Is this the way to compoſe all Miſ-underſtand- ‘ ings? We thought we ſhewed you one by your Meſ- ‘ ſage of the 20th of *January*; if you have a better, or ‘ a readier, we ſhall willingly hearken unto it, for hi- ‘ therto you have ſhewed us none: But why the refuſal ‘ to conſent to your Order (which you call a Denial of ‘ the *Militia*) ſhould be any Interruption to it, we ‘ cannot underſtand; for the *Militia* (which we al- ‘ ways thought neceſſary to be ſettled) we never ‘ denied the Thing, (as we told you in our Anſwer ‘ of the 28th of *January*, to the Petition of the ‘ Houſe of Commons) for we accepted the Perſons, ‘ (except for Corporations) we only denied the way: ‘ You ask it by way of Ordinance, and with ſuch a ‘ Preface, as we can neither with Juſtice to our Ho- ‘ nour or Innocence conſent to: You exclude us from ‘ any Power in the Diſpoſition, or Execution of it, to- ‘ gether with you, and for a Time utterly unlimited. ‘ We tell you, we would have the Thing done; allow ‘ the Perſons (with that Exception) deſire a *Bill* (the ‘ only good old way of impoſing on our Subjects) ‘ we are extremely unſatisfied what an Ordinance is; ‘ but well ſatisfied, that without our Conſent it is ‘ nothing, not binding; and it is evident by the long ‘ Time ſpent in this Argument, the Neceſſity and ‘ Danger was not ſo imminent but a *Bill* might have ‘ well been prepared; which, if it ſhall yet be done ‘ with that due regard to us, and Care of our Peo- ‘ ple, in the limitation of the Power, and other Cir- ‘ cumſtances,

REMARK (1). *The Parliament ſuppoſed an imminent Danger, which obliged them to act in an unuſual Manner, and the King ſuppoſed the Government to be in its uſual and natural State. This Miſ-underſtanding continually returns in the Papers of both Sides.*

'cumſtances, we ſhall recede from nothing we for- 1642.
'merly expreſſed in that Anſwer to your Order; o-
'therwiſe we muſt declare to all the World, that we
'are not ſatisfied with it, or ſhall ever allow our Sub-
'jects to be bound by your printed Votes of the
'fifteenth or ſixteenth of this Month, or that under
'Pretence of declaring what the Law of the Land is,
'you ſhall without us make a new Law, which is
'plainly the Caſe of the *Militia*; and what is this
'but to introduce an arbitrary way of Govern-
'ment (2)?

'Concerning *Pym*'s Speech, you will have found
'by what the Lord *Compton*, and Mr. *Bainton*
'brought from us, in Anſwer to that Meſſage they
'brought to us, that as yet we reſt nothing ſatis-
'fied in that Particular.

'As for the ſeditious Pamphlets and Sermons, we
'are both ſorry and aſhamed in ſo great Variety,
'and in which our Rights, Honour, and Authority
'are ſo inſolently ſlighted and vilified, and in which
'the Dignity and Freedom of Parliament is ſo much
'invaded and violated, it ſhould be asked of us to
'Name any; the mentioning of the *Proteſtation pro-*
'*teſted*, the Apprentices Proteſtation, *To your Tents,*
'*O Iſrael!* or any other, would be too great an ex-
'cuſe for the reſt: If you think them not worth

REM. (2). *It is no wonder the King and the Parliament could not agree upon any one Thing, ſince they reaſoned upon different Principles. The King ſuppoſed that the ordering the* Militia *deſired by both Houſes, ought to be done after the uſual way; whereas the Parliament pretended that the Danger the Kingdom was in, and of which the King was the Cauſe, gave them a Right to demand an extraordinary Regulation, wherein the King ſhould have no Hand. On the other ſide, it is manifeſt, that the Reſtrictions propoſed by the King in this Article, left him at Liberty to diſpute eternally, and to refuſe the* Bill *which ſhould be preſented to him, unleſs it was wholly ineffectual for the Deſigns of the Parliament.*

1642. ‘ your Inquiry, we have done: But we think moſt ‘ ſtrange to be told, that our Denial of a Guard ‘ (which we yet never denied, but granted in another ‘ manner, and under a Command at that time moſt ‘ accuſtomed in the Kingdom) or the Denial of any ‘ Thing elſe (which is in our Power legally to ‘ deny,) which in our Underſtanding (of which God ‘ hath ſurely given us ſome uſe) is not fit to be ‘ granted, ſhould be any excuſe for ſo dangerous a ‘ Concourſe of People; which, not only in our Ap- ‘ prehenſion, but (we believe) in the Interpretation ‘ of the Law it ſelf, hath been always held moſt tu- ‘ multuous and ſeditious. And we moſt wonder what, ‘ and from whence come the Inſtructions and Infor- ‘ mations that thoſe People have, who can ſo eaſily ‘ think themſelves obliged by the Proteſtation to ‘ aſſemble in ſuch a manner for the defence of Privi- ‘ leges, which cannot be ſo clearly known to any of ‘ them, and ſo negligently paſs over the Conſidera- ‘ tion, and Defence of our Rights, ſo beneficial and ‘ neceſſary for themſelves, and ſcarce unknown to ‘ any of them, which by their Oaths of Allegiance ‘ and Supremacy (and even by the ſame Proteſtation) ‘ they are at leaſt equally obliged to defend. And ‘ what Interruptions ſuch kind of Aſſemblies may be ‘ to the Freedom of future Parliaments, (if not ſea- ‘ ſonably diſcountenanced and ſuppreſſed) we muſt ‘ adviſe you to conſider, as likewiſe whether both ‘ our Powers may not by ſuch Means be uſurped by ‘ Hands not truſted by the Conſtitution of this King- ‘ dom. For our Guard, we refer you to our An- ‘ ſwer to your Declaration.

‘ By that Queſtion of violating your Laws; by ‘ which we endeavoured to expreſs our Care and Re- ‘ ſolution to obſerve them; we did not expect you ‘ would have been invited to have looked back ſo ‘ many Years, for which you have had ſo ample Re- ‘ paration: Neither looked we to be reproached ‘ with the Actions of our Miniſters (then againſt the ‘ Laws) whilſt we expreſs ſo great a Zeal for the pre-

'ſent Defence of them, it being our Reſolution up- 1642.
'on the Obſervation of the Miſchief which then
'grew by Arbitrary Power, (though made plauſi-
'ble to us by the Suggeſtions of Neceſſity and im-
'minent Danger; and take you heed you fall not
'into the ſame Error upon the ſame Suggeſtions)
'hereafter to keep the Rule our Self, and to our
'Power require the ſame from all others (3):
'But above all, we muſt be moſt ſenſible of what
'you caſt upon us for requital of thoſe good *Bills*
'you cannot deny. We have denied any ſuch De-
'ſign, and as God Almighty muſt judge in that
'Point between us, who knows our upright Inten-
'tions at the paſſing thoſe Laws: So in the mean
'Time we defy the Devil to prove that there was
'any Deſign (with our Knowledge or Privity) in or
'about the Time of paſſing thoſe *Bills*, that had it
'taken effect could have deprived our Subjects of
'the Fruit of them: And therefore we demand full
'Reparation in this Point, that we may be cleared
'in the ſight of all the World, and chiefly in the Eyes
'of all our loving Subjects, from ſo notorious and
'falſe an Imputation as this is.

'We are far from denying what you have done;
'for we acknowledge the Charge our People have
'ſuſtained in keeping the two Armies, and in re-
'lieving *Ireland*, of the which we are ſo ſenſible,
'that in regard of thoſe great Burthens our People
'have undergone, we have, and do patiently ſuffer
'thoſe extreme perſonal Wants, as our Predeceſſors
'have been ſeldom put to, rather than we would
'preſs upon them; which we hope (in time) will be
'conſidered on your parts (4).

'In

REM. (3). *Thoſe that undertake to vindicate King* Charles's *Government during the firſt fifteen Years of his Reign, do more than ever he pretended to do himſelf, as appears by this Clauſe of his Anſwer.*

REM. (4). *The King gloried in having ſuffered patiently,*

1642. ‘ In our Offer of a general Pardon, our Intent ‘ was to compoſe and ſecure the general Conditi- ‘ on of our Subjects, conceiving that in theſe Times ‘ of great Diſtractions, the good Laws of the Land ‘ have not been enough obſerved: But it is a ſtrange ‘ World when Princes proffered Favours are ac- ‘ counted Reproaches: Yet if you like not this our ‘ Offer, we have done.

‘ Concerning any Diſcourſes of foreign Forces, ‘ though we have given you a full Anſwer in ours ‘ to your laſt Declaration, yet we muſt tell you, we ‘ have neither ſo ill an Opinion of our own Merit, ‘ or the Affections of our good Subjects, as to think ‘ our Self in need of any foreign Force to preſerve ‘ us from Oppreſſion, (and we ſhall not need for any ‘ other purpoſe) but are confident (through God's ‘ Providence) not to want the good Wiſhes and Aſſiſt- ‘ ance of the whole Kingdom, being reſolved to build ‘ upon that ſure Foundation, the Law of the Land. ‘ We take it very ill that any general Diſcourſes be- ‘ tween an unknown Perſon and a Mariner, or Infe- ‘ rences upon Letters ſhould be able to prevail in ‘ Matters ſo improbable in themſelves, and ſcandalous ‘ to us; for which we cannot but likewiſe ask Repa- ‘ ration, not only for the Vindication of our own Ho- ‘ nour, but alſo thereby to ſettle the Minds of our ‘ Subjects, whoſe Fears and Jealouſies would ſoon ‘ vaniſh, were they not fed and maintained by ſuch ‘ falſe and malicious Rumours as theſe.

‘ For our return to our Parliament, we have given ‘ you a full Anſwer in ours to your Declaration, and ‘ you ought to look on us as not gone but driven ‘ (we ſay not by you, yet) from you. And if it be ‘ not ſo eaſy for you to make our Reſidence in *Lon-* ‘ *don* ſo ſafe as we could deſire, we are, and will be ‘ contented that our Parliament be adjourned to ſuch ‘ a Place, where we may be fitly and ſafely with you.

‘ For

tiently, ſince this Parliament, wants which it had not been in his Power to relieve.

'For although we are not pleaſed to be at this 1642.
'Diſtance, yet ye are not to expect our Preſence,
'until ye ſhall both ſecure us, concerning our juſt
'Apprehenſions of tumultuary Inſolencies; and like-
'wiſe give us Satisfaction for thoſe inſupportable and
'inſolent Scandals that are raiſed upon us. (5)

'To conclude, as we have, or ſhall not refuſe any
'way agreeable to Juſtice or Honour, which ſhall be
'offered to us for the begetting a right Underſtand-
'ing between us; ſo we are reſolved, that no Straits
'or Neceſſities (to which we may be driven) ſhall
'ever compel us to do that, which the Reaſon and
'Underſtanding that God hath given us, and our
'Honour and Intereſt, with which God hath truſted
'us for the Good of our Poſterity and Kingdom,
'ſhall render unpleaſant and grievous unto us.

'And we aſſure you that (how meanly ſoever you
'are pleaſed to value the Diſcharge of our publick
'Duty) we are ſo conſcious to our Self of having
'done our part ſince this Parliament, that in what-
'ſoever Condition we now ſtand, we are confident
'of the continued Protection of Almighty God, and
'the conſtant Gratitude, Obedience and Affection of
'our People; and we ſhall truſt God with all".

All theſe Papers were not capable of obliging the King or the Parliament to alter their Meaſures. The Parliament was reſolved to deveſt the King of the Command of the *Militia*, and the King was as fully determined not to give up that Point.

After this Anſwer, both Houſes ſent a Meſſage to the King, directing the Lord-Keeper to incloſe it in a Letter to the Secretary attending his Majeſty at *York*, to inform him that the Lord Admiral's Indiſpo-

Both Houſes name the Earl of Warwick to command the Fleet. March 28. Ruſh IV. p. 542.

REM. (5). *The King took care not to return to* London, *at a Time when he was going to try to ſecure* Hull. *The Terms he required for his Return were ſo uncertain, that they would have afforded Room for a long Diſpute.*

ſition

1642. sition disabling him for commanding the Fleet in his own Person, they had recommended to his Lordship the Earl of *Warwick* to supply his Place. But understanding since that his Majesty had appointed for that Employment Sir *John Pennington*, they besought him not to prefer this last to the Earl of *Warwick*.

He is received against the King's Will.

The King was very angry at this Message, which was not by the way of Petition or Declaration, and sent the Lord-Keeper word, that his Resolution was that he would not alter the Person whom he had appointed. But he was not Master: for, by the Connivance of the Earl of *Northumberland*, who was Lord-Admiral, the Earl of *Warwick* was acknowledged Commander of the Fleet against the King's Will.

March 31.

Paper published touching the Militia.

About the same time a Paper was dispersed Abroad, wherein the Author examined, how Laws are to be understood, and Obedience yielded? A Question necessary for the present State of Things touching the *Militia*. His Majesty (says he) is intrusted by Law with the *Militia*; but it is for the Good and Preservation of the People, and not against them. So that when there is a well-grounded Suspicion that the King intends to employ the *Militia* against the People, he is not to be obeyed, for it is not likely that the Intent of the Law is to invest the King with a Power to be used against his Subjects. This is the Sum of the Author's Reasoning, as it was properly that of both Houses. The King having perused this Paper, sent a Message to the Lords to require them to find out the Author of so pernicious a Doctrine, and punish him according to his Deserts. But he objected nothing in particular against the Author's Principles and Arguments.

Rush. IV. Ibid.

April 22.

Whilst the Business of the *Militia* was in Agitation, the King came to the Gates of *Hull* with some Troops: but Sir *John Hotham* denied him Admittance, as we shall see presently. It is easy to judge that this Proceeding of the King's helped not to remove the Parliament's Fears and Suspicions, and the rather that having passed a *Bill* for settling the *Militia*,

rather

as the King desired, this *Bill* had been rejected. The Affair of *Hull* happening shortly after, the Parliament thought all Regards were to be thrown aside, imagining the King sought only to amuse them, and make them lose time. Mean while the King, five or six Days after his Disappointment at *Hull*, sent a Message to the Parliament, dated *April* the 28th, containing his Reasons for not consenting to the *Militia-Bill*, which had been presented to him. The Message was expressed in the following Manner: 1642.

The King rejects the Militia-Bill.

The King's Message to both Houses of Parliament. April 28. Rush. IV. p. 544.

'WE have with great Deliberation and Patience 'weighed and considered (it concerning us 'much to weigh the Consequences of every Law 'before we pass it) your Bill lately sent to us, for 'the settling of the Militia; and though it hath not 'been usual to give any Reasons for our Refusal to 'pass any Bill (it being absolutely in our Power to 'pass, or not pass any Act sent unto us by you, if 'we conceive it prejudicial to our Self, or inconvenient for our Subjects, for whom we are trusted, 'and must one Day give give an Account;) yet in 'this Business of the Militia, which being misunderstood by our good Subjects, hath been used as an 'Argument, as if we were not vigilant enough for 'the publick Safety: And least we should be thought 'less constant in our Resolutions, and this Bill to be 'the same we sent unto you; we have thought fit to 'give you and all the World particular Satisfaction 'why we must not, ought not, cannot pass this Bill, 'being the first publick Bill to our Remembrance we 'have refused this Parliament; and therefore we must 'complain, that having expressed our Self so clearly 'and particularly to you in this Point, you should 'press any thing upon us, which you could not but 'foresee that we must refuse, except we departed 'from those Resolutions, grounded upon so much 'Reason, which we had so earnestly before acquainted you with, and against which you have not given 'one Argument to satisfy our Judgment.

'We

1642. ‘ We are pleaſed that you have declined the unwarrantable Courſe of your Ordinance, (to the which ‘ we are confident our good Subjects would never have ‘ yielded Conſent) and choſen this only right way of ‘ impoſing upon our People, which we would have ‘ allowed, but for the Reaſons hereafter mentioned.

‘ We refuſed to conſent to your Ordinance, as for ‘ other things, ſo, for that the Power was put into ‘ the Perſons nominated therein by Direction of both ‘ Houſes of Parliament, excluding us from any ‘ Power in the Diſpoſition or Execution of it toge- ‘ ther with you. We then adviſed you for many ‘ Reaſons, that a Bill ſhould be prepared, and after, ‘ in our Anſwer of the 26th of *March* laſt, to the ‘ Petition of both Houſes, we told you, if ſuch a ‘ Bill ſhould be prepared with that due regard to us, ‘ and care of our People in the Limitation of the ‘ Power, and other Circumſtances, we ſhould recede ‘ from nothing we formerly expreſſed. (1)

‘ What paſſed (enough to have diſcouraged us from ‘ being farther ſollicitous in that Argument) after ‘ our full and gracious Anſwers, we are content to ‘ forget. When we reſolved of our Journey into ‘ *Ireland*, (ſo that by reaſon of our Abſence there ‘ might be no want of ſettling that Power) be- ‘ ſides complying with your Fears, we ſent, together ‘ with a Meſſage of that our purpoſe, a Bill for the ‘ ſettling that Power for a Year, hoping in that time ‘ to return to you; and being ſure that in much leſs ‘ time you might do the Buſineſs for which you ſeem- ‘ ed at firſt to deſire this, which was, that you might ‘ ſecurely conſider our Meſſage of the 20th of *Ja- ‘ nuary* laſt. By that Bill we conſented to thoſe ‘ Names which were propoſed in your Ordinance, and

REMARK (1). *Whether after all the King was in the Right or in the Wrong concerning the Buſineſs of the Militia, it is certain his Deſign at firſt was only to amuſe the Parliament, and this is what he ſtrives to hide in this Article.*

‘ in

'in the Limitation of the Power, provided that our 1642.
'Self ſhould not be able to execute any thing but
'by your Advice; and when we ſhould be out of
'the Kingdom, the ſole Execution to be in you;
'with many other things of ſo arbitrary and uncir-
'cumſcribed a Power, that we ſhould not have con-
'ſented to, but with reference to the Abſence of our
'own Perſon out of the Kingdom, and thought it the
'more ſufferable, in reſpect the Time was but for a
'Year. Whether this be the Bill you have now
'ſent to us to paſs, let all the World judge. (2)

'You have by this Bill now tendered to us, (with-
'out taking notice of us) put the Power of the
'whole Kingdom, the Life and Liberties of the
'Subjects of all Degrees and Qualities, into the
'Hands of particular Men for two Years. Can you
'imagine we will truſt ſuch an abſolute Power in the
'Hands of particular Perſons, which we refuſed to
'commit to both Houſes of Parliament? Nay, is not
'the Power itſelf too abſolute, too unlimited to be
'committed to any private Hands? Hath not Sir
'*John Hotham*'s high Inſolence ſhewed us, what we
'may expect from an exorbitant legal Power, when
'he by a Power not warranted by Law, dares venture

REM. (2). *The Lord* Clarendon *freely owns, that the King's Offer to go into* Ireland *was all a Stratagem. Since then the King had no deſign to go thither, it follows that the* Bill *he had ſent to both Houſes, and which he pretended he ſhould not have conſented to, but with reference to his Abſence, was no more than an Amuſement. We ſee here, that the general Limitations he had annexed to his firſt Engagement, were not without Deſign. He knew how to particularize them in the* Bill *he ſent to the Parliament, and was very ſenſible it would not be received with all theſe Reſtrictions. Thus his Aim in this Clauſe was only to colour the Pretence he had uſed in his firſt Promiſe touching the* Militia. Clarend. II. p. 501.

'upon

1642. ‘ upon a treaſonable Diſobedience (3)? But we would ‘ willingly know (and indeed ſuch an Account in ordinary Civility we might have expected) why we ‘ are by this Act abſolutely excluded from any ‘ Power or Authority in the Execution of this Militia. Sure your Fears and Jealouſies are not of ‘ ſuch a Nature, as are capable of no other Remedy, ‘ than by leaving us no Power in a Point of the ‘ greateſt Importance, in which God and the Law ‘ hath truſted us ſolely, and which we were contented ‘ to ſhare with you by our Bill, by putting it and a ‘ greater into the Hands of particular Subjects? ‘ What would all Chriſtian Princes think of us, after ‘ we had paſſed ſuch a Bill? How would they value ‘ our Sovereignty? And yet ſure our Reputation ‘ with foreign Princes is ſome Ground of your Security: Nay, we are confident, by that time you have ‘ thoroughly conſidered the poſſible Conſequence of ‘ the Bill upon your ſelves, and the reſt of our good ‘ Subjects, you and they will give us Thanks for not ‘ conſenting to it, finding their Condition (had it ‘ paſſed) not to have been ſo pleaſing to them. We ‘ hope this Animadverſion will be no Breach of your ‘ Privileges in this throng of Buſineſs, and diſtemper ‘ of Affections; it is poſſible that ſecond Thoughts ‘ may preſent ſomething to your Conſideration, which ‘ eſcaped you before.

‘ We paſſed this Parliament, at your Entreaty, a ‘ Bill concerning the Captives of *Algier*, and waved ‘ many Objections of our own to the contrary, upon ‘ Information that the Buſineſs had been many ‘ Months conſidered by you. Whether it prove ‘ ſuitable to your Intentions, or whether you have ‘ not by ſome private Order ſuſpended that Act of

REM. (3). *It was but five or ſix Days ſince Sir* John Hotham *denied him Entrance into* Hull *.

* The Lord *Clarendon* places this Meſſage before the King's going to *Hull*. *See* Vol. II. p. 505, *&c.*

‘ Parlia-

'Parliament upon view of the Miſtakings, you beſt know: As likewiſe, what other great Alterations you have made in other Bills paſſed this Seſſion. We cannot paſs over the putting their Names out of this Bill, whom before you recommended to us in your Ordinance, it ſeems, not thinking fit to truſt thoſe who would obey no Guide but the *Law of the Land*, (we imagine you would not wiſh we ſhould in our Eſtimation of others follow that your Rule) and the leaving out by ſpecial Proviſion the preſent Lord-Mayor of *London*, as a Perſon in your diſfavour; whereas we muſt tell you, his Demeanour hath been ſuch, that the City and the whole Kingdom is beholding to him for his Example. (4). 1642.

To conclude, we do not find our Self poſſeſſed with ſuch an Exceſs of Power, that it is fit to tranſfer, or conſent it ſhould be in other Perſons, (as is directed by the Bill;) and therefore we ſhall rely upon that Royal Right and Juriſdiction which God and the Law hath given us, for the ſuppreſſing of Rebellion, and reſiſting foreign Invaſion, which hath preſerved this Kingdom in the time of all our Anceſtors, and which, we doubt not, but we ſhall be able to execute; and not more for our own Honour and Right, than for the Liberty and Safety of our People, we cannot conſent to paſs this Bill.

The DECLARATION *of the Lords and Commons concerning his Majeſty's laſt Meſſage about the Militia.*

'THE Lords and Commons holding it neceſſary for the Peace and Safety of this Kingdom, to ſettle the Militia thereof, did, for that purpoſe, Ruſh. IV. p. 545. May 5.

REM. (4). *It was* Gurney *that was then Lord-Mayor of* London, *and entirely devoted to the King.*

1642. ‘ prepare an Ordinance of Parliament, and with all ‘ Humility did preſent the ſame to his Majeſty for ‘ his Royal Aſſent; who, notwithſtanding the faith- ‘ ful Advice of his Parliament, and the ſeveral ‘ Reaſons offered by them of the Neceſſity thereof, ‘ for the ſecuring of his Majeſty's Perſon, and the ‘ Peace and Safety of his People, did refuſe to give ‘ his Conſent; and thereupon they were neceſſitated, ‘ in diſcharge of the Truſt repoſed in them, as the ‘ Repreſentative Body of the Kingdom; to make an ‘ Ordinance by Authority of both Houſes; to ſettle ‘ the Militia warranted thereunto by the fundamental ‘ Laws of the Land: (1) His Majeſty taking notice ‘ thereof, did by ſeveral Meſſages invite them to ‘ ſettle the ſame by Act of Parliament; affirming in ‘ his Majeſty's Meſſage ſent in Anſwer to the Petition ‘ of both Houſes preſented to his Majeſty at *York*, ‘ *March* 26. That he always thought it neceſſary the ‘ ſame ſhould be ſettled, and that he never denied *the* ‘ *Thing*, only denied *the Way*; and for the Matter of ‘ it, took Exceptions only to the Preface, as a thing ‘ not ſtanding with his Honour to conſent to, and ‘ that *himſelf was excluded* in the Execution, and for ‘ *a Time unlimited*: Whereupon the Lords and Com- ‘ mons being deſirous to give his Majeſty all Satiſ- ‘ faction that might be, even to the leaſt Tittle of ‘ Form and Circumſtance; and when his Majeſty was ‘ pleaſed to offer them a Bill ready drawn, did, for ‘ no other Cauſe, than to manifeſt their hearty Af- ‘ fection to comply with his Majeſty's Deſires, and ‘ obtain his Conſent, entertain the ſame; in the ‘ mean time no way declining their Ordinance, and

REMARK (1). *This* fundamental Law *was nothing elſe but the Law of Nature, which allows every Man to provide for his own Defence when he ſees himſelf expoſed to Danger, and ſuch was the Caſe the Parliament ſuppoſed themſelves in. For otherwiſe there was no poſitive Law which gave this Power to the two Houſes of Parliament.*

‘ to

'to expreſs their earneſt Zeal to correſpond with his 1642.
'Majeſty's Deſire, (in all things that might conſiſt
'with the Peace and Safety of the Kingdom, and
'the Truſt repoſed in them) did paſs that Bill, and
'therein omitted the Preamble inſerted before the
'Ordinance, limited the time to leſs than two Years,
'and confined the Authority of the Lieutenants to
'theſe Three Particulars, namely, *Rebellion*, *Inſur-*
'*rection* and *foreign Invaſion*, and returned the ſame
'to his Majeſty for his Royal Aſſent: But all theſe
'Expreſſions of Loyalty and Affection, all thoſe
'Deſires and earneſt Endeavours to comply with his
'Majeſty, hath (to their great Grief and Sorrow)
'produced no better Effect than an abſolute Denial,
'even of that which his Majeſty by his former Meſ-
'ſages, as we conceive, had promiſed; the Advice
'of wicked and evil Councils receiving ſtill more
'Credit with him than that of his Great Council of
'Parliament, in a Matter of ſo high Importance,
'that the Safety of his Kingdom, and the Peace of
'his People depend on it. (2) But now what muſt
'be the Exceptions to this Bill? Not any ſure that
'were to the Ordinance; for a Care was taken to
'give Satisfaction in all theſe Particulars. Then the
'Exception was, becauſe that the diſpoſing and exe-
'cution thereof was referred to both Houſes of Parlia-
'ment, and *his Majeſty excluded*; and now that by the
'*Bill* the Power and Execution is aſcertained, and re-
'duced to Particulars, and the Law of the Realm
'made the Rule thereof; his Majeſty will not truſt
'the *Perſons*. The Power is *too great*, too unlimited

REM. (2). *If the King on his Part ſuppoſed the Government to be in its natural State, and that conſequently he ought to enjoy all his Prerogatives, the Parliament made here a Suppoſition which was not liable to fewer Objections. That is, in the preſent Juncture, the King ought to conſider them as his great Council, and be guided by their Directions.*

1642. ‘ to truſt them with, (3) But what is that Power? ‘ Is it any other, but in expreſs Terms to ſuppreſs Re- ‘ bellion, Inſurrection, and foreign Invaſion? And ‘ who are thoſe Perſons? Are they not ſuch as were ‘ nominated by the Great Council of the Kingdom, ‘ and aſſented to by his Majeſty? And is it too great ‘ a Power to truſt thoſe Perſons with the Suppreſſion ‘ of Rebellion, Inſurrection, and foreign Invaſion? ‘ Surely the moſt wicked of them that adviſed his ‘ Majeſty to this Anſwer, cannot ſuggeſt but that ‘ it is neceſſary for the Safety of his Majeſty's Royal ‘ Perſon, and the Peace of the Kingdom, ſuch a ‘ Power ſhould be put in ſome Hands, and there is ‘ no Pretence of Exception to the Perſons; his Ma- ‘ jeſty for the Space of above Fifteen Years toge- ‘ ther, thought not a Power far exceeding this to be ‘ too great to intruſt *particular Perſons* with, to whoſe ‘ Will the Lives and Liberties of his People by *Mar- ‘ tial Laws* were made ſubject; for ſuch was the ‘ Power given to *Lord-Lieutenants* and *Deputy-Lieu- ‘ tenants* in every County of this Kingdom, and that ‘ without the Conſent of his People, or Authority ‘ of Law; but now in caſe of extreme Neceſſity, ‘ upon Advice of *both Houſes* of Parliament, for no ‘ longer ſpace than *two Years*, a *leſſer* Power, and ‘ that for the Safety of the King and People, is

REM. (3). *The Parliament pretends to ſhow here that they had regarded the King's Complaints, and that nevertheleſs the King had refuſed to paſs the* Bill. *They own that one of his Majeſty's Complaints againſt the Ordinance was his being wholly excluded from having any Thing to do in the ſettling the* Militia. *To make appear therefore that the King had reaſon to be ſatisfied with the* Bill, *it ſhould have been ſaid*, And now that by the Bill he is joined in the Execution with the two Houſes. *But inſtead of this, they ſay*, And now that the Execution is aſcertained, and the Law of the Realm made the Rule. *It is eaſy to ſee that this is not the direct contrary to the King's Complaint.*

'thought *too great* to truſt particular Perſons with, 1642.
'though named by both Houſes of Parliament, and
'approved of by his Majeſty himſelf: And ſurely,
'if there be a Neceſſity to ſettle the Militia (which
'his Majeſty was pleaſed to confeſs) the Perſons
'cannot be truſted with *leſs* Power than this to have
'it at all effectual: And the Precedents of former
'Ages, when there happened a Neceſſity to raiſe ſuch
'a Power, never ſtraitned that Power to a narrower
'Compaſs; witneſs the *Commiſſions* of *Array* in ſeve-
'ral King's Reigns, and often iſſued out by the Con-
'ſent and Authority of Parliament. The Lords and
'Commons therefore intruſted with the Safety of the
'Kingdom, and Peace of the People (which they
'call God to witneſs is their only Aim) finding
'themſelves denied theſe their ſo neceſſary and juſt
'Demands, and that they can never be diſcharged
'before God and Man, if they ſhould ſuffer the
'Safety of the Kingdom, and Peace of the People
'to be expoſed to the Malice of the malignant Party
'at Home, or the Fury of their Enemies from
'Abroad: And knowing no other way to encounter
'the imminent and approaching Danger, but by put-
'ting the People into a fit Poſture of Defence, do re-
'ſolve to put their ſaid Ordinance in preſent Executi-
'on, and do require all Perſons in Authority, by vir-
'tue of the ſaid Ordinance, forthwith to put the ſame
'in Execution, and all others to obey it, according
'to the fundamental Laws of the Kingdom in ſuch
'Caſes, as they tender the upholding of the true
'Proteſtant Religion, the Safety of his Majeſty's
'Perſon, and his Royal Poſterity, the Peace of
'the Kingdom, and the Being of this Common-
'wealth.

1642.

His MAJESTY's *Answer to the Parliament's* DECLARATION (*a*).

'WE very well understand how much it is be-
'low the high and Royal Dignity (wherein
'God hath placed us) to take notice, much more
'to trouble our Self with answering those many
'scandalous, seditious Pamphlets, and printed Pa-
'pers, which are scattered with such great Licence
'throughout the Kingdom (notwithstanding our
'earnest Desire so often in vain pressed for a Re-
'formation) though we find it evident, that the
'Minds of many of our weak Subjects have been
'and still are poisoned by those Means, and that so
'general a Terror hath possessed the Minds and Hearts
'of all Men, that while the *Presses* swarm (and e-
'very Day produceth new *Tracts* against the esta-
'blished Government of the Church and State) most
'Men want the *Courage*, or the *Conscience* to *write*,
'or the Opportunity and Encouragement to publish
'such composed, sober Animadversions, as might
'either preserve the Minds of our good Subjects
'from such Infection, or restore and recover them
'when they are so infected; but we are contented
'to let our Self fall to any Office that may unde-
'ceive our People, and to take more Pains this way
'by our own *Pen*, than ever King hath done, when
'we find any Thing that seems to carry the Autho-
'rity or Reputation of either, or both Houses of
'Parliament, and will not have the same refuted or
'disputed by common and vulgar Pens, 'till we are
'thoroughly informed whether those Acts have in
'Truth that Countenance and Warrant they pretend;
'which Regard of ours, we doubt not but in time
'will recover that due Reverence (the Absence
'whereof we have too much Reason to complain of)

'to

(*a*) Without Date.

'to our Perſon, and our Meſſages, which in all A- 1642.
'ges hath been paid (and no doubt is due) to the
'Crown of *England*.

'We have therefore taken notice of a printed Pa-
'per, intituled, *A Declaration of both Houſes of Par-*
'liament, in Anſwer to our laſt Meſſage concerning the
'Militia, publiſhed by Command; the which we
'are unwilling to believe (both for the Matter of it,
'the Expreſſions in it, and the manner of publiſh-
'ing it) can reſult from the Conſent of both Hou-
'ſes; neither do we know by what lawful Com-
'mand ſuch uncomely, irreverent mention of us can
'be publiſhed to the World. And though Declara-
'tions of this kind have of late (with too much bold-
'neſs) broken in upon us, and the whole Kingdom,
'when one or both Houſes have thought fit to com-
'municate their Counſels and Reſolutions to the Peo-
'ple; yet we are unwilling to believe that ſuch a
'Declaration as *this* ſhould be publiſhed in Anſwer
'to our Meſſage, without vouchſafing at leaſt to
'ſend it to us as their Anſwer. Their Buſineſs for
'which they are met by our Writ and Authority,
'being to *counſel Us* for the good of our People, not
'to write againſt us to our People, and no Conſent
'of ours for their long continuing together, enabling
'them to do any Thing, but what they were firſt
'ſummoned by our Writ to do: At leaſt we will be-
'lieve, though Miſ-underſtanding and Jealouſie (the
'Juſtice of God will overtake the Fomenters of that
'Jealouſy, and the Promoters and Contrivers of that
'Miſ-underſtanding) might produce (to ſay no worſe)
'thoſe very untoward Expreſſions, that if thoſe
'Houſes had contrived that Declaration, as an Anſwer
'to our Meſſage, they would have vouchſafed ſome
'Anſwer to the Queſtion propoſed in ours; which we
'profeſſed did, and muſt evidently prevail over our
'Underſtanding; and in their Wiſdom and Gravity,
'they would have been ſure to have ſtated the Mat-
'ters of Fact, as (at leaſt to ordinary Underſtand-

1642. ‘ings) might be unqueſtionable; neither of which is ‘ done by that Declaration.

‘ We deſire to know why we were by that Act ‘ abſolutely excluded from any Power or Authority ‘ in the execution of the *Militia*; and we muſt appeal ‘ to all the World, whether ſuch an attempt be not ‘ a greater and juſter Ground for Fear and Jealouſie ‘ in us, than any one that is avowed for thoſe de- ‘ ſtructive Fears and Jealouſies, which are ſo pub- ‘ lickly owned, almoſt to the ruin of the Kingdom. ‘ But we have been told, That we *muſt not be jea- ‘ lous of our great Council of both Houſes of Parliament*; ‘ we are not, no more than they are of us, their ‘ King; and as hitherto they have not avowed any ‘ Jealouſy of, or Diſſaffection to our Perſon; im- ‘ puted all to our *evil Counſellors*, to a malignant ‘ Party that are not of their Minds: ſo we do (and ‘ we do it from our Soul) profeſs no Jealouſy of our ‘ Parliament, but ſome *turbulent*, *ſeditious*, and am- ‘ bitious Natures, which (being not ſo clearly diſ- ‘ cerned) may have an Influence, even upon the Ac- ‘ tions of both Houſes: And if this Declaration hath ‘ paſſed by ſuch Conſent (which we are not willing ‘ to believe) it is not impoſſible, but that the Ap- ‘ prehenſion of ſuch Tumults, which have dri- ‘ ven us from the City of *London*, for the ſafety of ‘ our Perſon, may make ſuch an Impreſſion in other ‘ Men (not able to remove from the Danger) to ‘ make their Conſent, or not to own a Diſſent in ‘ Matters not agreeable to their Conſcience or Un- ‘ derſtanding.

‘ We mentioned in that our Anſwer, our diſlike ‘ of the putting of their Names out of the Bill, whom ‘ before they recommended to us in their pretended ‘ Ordinance, and the laying out, by ſpecial Proviſi- ‘ on, the preſent Lord-Mayor of *London*, to all ‘ which the Declaration affords no Anſwer to that ‘ our Meſſage, and therefore we cannot ſuppoſe it ‘ was intended for an Anſwer to that our Meſſage;

‘ which

'which whoſoever ſhall look upon will find to be 1642.
'in no Degree anſwered by that Declaration.

'But it informs all our Subjects, after the mention 'with what Humility the Ordinance was prepared, and 'preſented to us, (a Matter very evident in the Petitions and Meſſages concerning it) and our refuſal to 'give our Conſent, notwithſtanding the ſeveral Reaſons offered of the Neceſſity thereof, for the ſecuring 'our Perſon, and the Peace and Safety of our People '(whether any ſuch Reaſons were given, the Weight 'of them, and whether they were not clearly and 'candidly anſwered by us, the World will eaſily 'judge) and that they were at laſt neceſſitated to 'make an *Ordinance* by Authority of both Houſes to ſettle the *Militia*, warranted thereunto by 'the *Fundamental Laws* of the Land: But if that Declaration had indeed intended to have anſwered us, 'it would have told our good Subjects what thoſe '*Fundamental Laws of the Land are*, and where to 'be found; and would at leaſt have mentioned one 'Ordinance from the firſt beginning of Parliaments 'to this preſent Parliament, which endeavoured to 'impoſe any Thing upon the Subjects without the 'King's Conſent; for of ſuch, all the Inquiry we 'can make could never produce us one Inſtance (1):

'And

REMARK (1). *The King and the Parliament played alike with the Term* Fundamental Law. *The Parliament gave the* Fundamental Law *to the Truſt placed in them by the People, which obliged the two Houſes to take Care of the Publick Safety, when the Kingdom was in danger, the which was not properly a Law. The King on his Side, would own none for Fundamental, but poſitive, expreſs, and particular Laws upon the Caſe in Hand, and required ſuch to be produced. It is an eaſy Matter for unbyaſſed Perſons to ſolve this Difficulty. If we ſuppoſe with the Parliament that the King intended to eſtabliſh an arbitrary Government, it is certain the Parliament had a right to oppoſe it by virtue of the Truſt*

put

1642. ‘ And if there be such a Secret of the Law, which ‘ hath lain hid from the beginning of the World to ‘ this Time, and now is discovered to take away the ‘ just, legal Power of the King, we wish there be ‘ not some other Secret (to be discovered when they ‘ please) for the Ruin and Destruction of the *Liberty ‘ of the Subject* : For no doubt, if the *Votes* of both ‘ Houses have any such Authority to make a new ‘ Law, it hath the same Authority to repeal the old, ‘ and then what will become of the long established ‘ Rights and Liberties of the King and Subject, and ‘ particularly of *Magna Charta*, will be easily dis- ‘ cerned by the most ordinary Understanding (2.) It ‘ is true, we did (out of the Tenderness of the Con- ‘ stitution of the Kingdom, and Care of the Law ‘ which we are bound to defend, and being most ‘ assured of the unjustifiableness of the pretended Or- ‘ dinance) invite and desire both our Houses of Par- ‘ liament to settle whatsoever should be fit of that ‘ Nature by Act of Parliament ; but were we there- ‘ fore obliged to pass whatsoever should be brought ‘ to

put in them by the People, and as the representative Body of the Nation, and in such Case it might be said that they were supported by a fundamental Law, or something of the like Import. But if we suppose with the King that the Government was in its ordinary and natural State, and there was no reason to suspect him, it is certain, the Parliament had no Business to meddle with the Militia, *without the King's Consent. The whole consists therefore in the Truth or Falsehood of these two Suppositions.*

REM. (2). *Never were the Liberties of the People in more Danger of being destroyed than in the Reign of* Charles I, *notwithstanding* Magna-Charta, *and the Laws of the Land. So that whatever the King said against the Parliament, held as strongly against himself. Besides, his Reasoning could be of no force but in virtue of the Supposition mentioned in the foregoing Article, which was very far from being made out.*

'to us of that kind? We did ſay in our Anſwer to 1642.
'the Petition of both Houſes, preſented to us at
'*York* the 26th of *March* laſt, (and we have ſaid the
'ſame in our Meſſage before) that we always thought
'it neceſſary the Buſineſs of the *Militia* ſhould be
'ſettled, and that we never denied *the Thing*, only
'denied *the Way*; and we ſay the ſame ſtill, ſince the
'many Diſputes and Votes upon Lord-Lieutenants and
'their Commiſſions (which were begun by us or our
'Father) had ſo diſcountenanced that Authority,
'which for many Years together was happily looked
'upon with Reverence and Obedience by the Peo-
'ple: We did, and do think it neceſſary, that ſome
'wholſome Law be provided for that Buſineſs; but
'we declared in our Anſwer to the pretended Ordi-
'nance, we expected that that neceſſary Power ſhould
'be firſt inveſted in us, before we conſented to transfer
'it to other Men (3): Neither could it ever be ima-
'gined, that we could conſent that a greater Power
'ſhould be in the Hands of a Subject, than we were
'thought worthy to be truſted with our Self. And
'if it ſhall not be thought fit to make a new Act or
'Declaration in this Point, we doubt not but we
'ſhall be able to grant ſuch Commiſſions, which
'ſhall very legally enable thoſe we truſt, to do all
'Offices for the Peace and Quiet of the Kingdom, if
'any Diſturbance ſhall happen.

'But that Declaration ſaith, we were pleaſed to offer
'them a Bill ready drawn; and that they, (to expreſs
'their earneſt Zeal to correſpond with our Deſire)
'*did paſs that Bill*; *yet all that Expreſſion of Affection*
'*and Loyalty*; *all that earneſt Deſire of theirs to com-*
'*ply with us, produced no better Effect than an abſolute*
'*Denial*,

REM. (3). *There was no manner of occaſion to inveſt the King with the Power to ſuppreſs Rebellions and Inſurrections, and repel Invaſions, in order to his tranſferring that Power to others, ſince he was of Courſe inveſted with the ſame. But the King endeavours to colour his Denial by repreſenting that Power as exorbitant.*

1642. ‘ *Denial, even of what by our former Meſſages (as that* ‘ *Declaration conceives) we had promiſed*; and ſo ‘ proceeds (under the Pretenſe of mentioning evil ‘ and wicked Councils) to cenſure and reproach us, ‘ in a Dialect, that we are confident our good Sub- ‘ jects will read with much Indignation on our behalf. ‘ But ſure if that Declaration had paſſed the Exa- ‘ mination of both Houſes of Parliament, they ‘ would never have affirmed that the *Bill* we refuſed ‘ to paſs was *the ſame* we ſent to them, or have ‘ thought that our Meſſage, wherein the *Difference* ‘ and Contrariety between the two *Bills* is ſo particu- ‘ larly ſet down, would be anſwered with the bare ‘ averring them to be one and the ſame *Bill*; no ‘ more would they have declared (when our Excep- ‘ tions to the Ordinance and the *Bill* are ſo notoriouſ- ‘ ly known to all our People) that Care being taken ‘ to give Satisfaction in all the Particulars we had *ex-* ‘ *cepted* againſt in the Ordinance, we had found new ‘ *Exceptions* to the *Bill*: And yet this very Declara- ‘ tion confeſſes that our Exception to the Ordinance ‘ was, that in the diſpoſing and Execution thereof, ‘ *we were excluded*; and was not this an *expreſs Rea-* ‘ *ſon* in our Anſwer for refuſal of the *Bill*, which this ‘ Declaration will needs confute? But the Power was ‘ no other than to ſuppreſs *Rebellion*, *Inſurrection*, ‘ and *foreign Invaſion*; and the Perſons truſted no o- ‘ ther than ſuch as were nominated by the great Coun- ‘ cil of the Kingdom, and *aſſented* to by us; and ‘ that Declaration asks, if that be too great a Power ‘ to truſt theſe Perſons with? Indeed, while ſo great ‘ Liberty is uſed in voting and declaring Men to be ‘ Enemies to the Commonwealth, (an *Engliſh* Phraſe ‘ we ſcarcely underſtand) and in cenſuring Men for ‘ their Service and Attendance upon our Perſon, and ‘ in our lawful Commands, great heed muſt be taken ‘ into what Hands we commit ſuch a Power to ſup- ‘ preſs Inſurrection and Rebellion; and if Inſurrecti- ‘ on and Rebellion have found other Definitions, ‘ than what the Law hath given them, we muſt be

‘ ſure

'ſure that no lawful Power ſhall juſtify thoſe Definitions; and if there be Learning found out to make Sir *John Hotham*'s taking Arms againſt us, and keeping our Town and Fort from us, *no Treaſon and Rebellion*, we know not whether a new Diſcovery may not find it *Rebellion in us* to defend our Self from ſuch Arms, and to endeavour to recover what is ſo taken from us (4); and therefore it concerns us, (till the known Law of the Land be allowed to be a Judge between us) to take heed into what Hands we commit ſuch Power: Beſides, can it be thought, that becauſe we are willing to truſt certain Perſons, that we are obliged to truſt them in whatſoever they are willing to be truſted? We ſay, no private Hands are fit for ſuch a Truſt, neither have we departed from any Thing (in the leaſt degree) we offered, or promiſed before; though we might with as much Reaſon have withdrawn our Truſt from ſome Perſons we before had excepted, as they did from others whom they recommended. For the Power which we are charged to have committed to particular Perſons, for the ſpace of fifteen Years by our Commiſſions of Lieutenancy, it is notoriouſly known, that it was not a Power created by us, but continued very many Years, and in the moſt happy Times this Kingdom hath enjoyed; even thoſe of our renowned Predeceſſors Queen *Elizabeth*, and our Father of happy Memory (5), and whatever Authority was granted by thoſe Commiſſions, which were kept in the old Forms, they were determined at our Pleaſure,' 1641.

Rem. (4). *The King always reaſoned upon the Suppoſition that the Government was in its natural State, and that there was no Cauſe to ſuſpect him, a Suppoſition which was not granted him.*

Rem. (5). *The Example of King* James I. *is no good Evidence. I very much queſtion that in times of Peace, Queen* Elizabeth *ever made her Subjects liable to be tried by the Martial Law.*

1642. ‘ ſure, and we know not, that they produced any of ‘ thoſe Calamities, which might give our Subjects ‘ Cauſe to be ſo weary of them, as to run the ha- ‘ zard of ſo much Miſchief, as that Bill we refuſed ‘ might poſſibly have produced.

‘ For the Precedents of former Ages in the Com- ‘ miſſions of *Array*, we doubt not, but when any ſuch ‘ are iſſued out, that the King's Conſent was always ‘ obtained, and the Commiſſions determinable at his ‘ Pleaſure, and then what the extent of Power was, ‘ will be nothing applicable to this Caſe of Ordi- ‘ nance.

‘ But whether that Declaration hath refuted our ‘ Reaſons for our refuſal to paſs the *Bill*, or no, it ‘ hath reſolved and required all Perſons in Authority ‘ thereby to put the *Ordinance* in preſent Execution, ‘ and all others to obey it according to the Funda- ‘ mental Laws of the Land. But we whom God ‘ hath truſted to maintain and defend the Fundamen- ‘ tal Laws (which, we hope, he will bleſs to ſecure *Us*,) ‘ do declare, that there is no *Legal Power* in either, ‘ or both Houſes, upon any pretence whatſoever, ‘ without our Conſent, to command *any Part of the* ‘ *Militia* of this Kingdom; nor hath the like ever ‘ been commanded by either or both Houſes, ‘ ſince the Foundation of the Laws of the Land; ‘ and that the Execution of, or the Obedience to ‘ that pretended Ordinance, is againſt the Fundamen- ‘ tal Laws of the Land, againſt the Liberty of the ‘ Subject, and the right of Parliaments, and a high ‘ Crime in any that ſhall henceforth execute the ſame. ‘ And we do therefore Charge and Command all our ‘ loving Subjects, of what Degree or Quality ſoever ‘ *upon their Allegiance*, and as they tender the Peace ‘ of this Kingdom, from henceforth, not to Muſter, ‘ Levy, Array, Summon, or warn any of our ‘ Train'd-Bands to Riſe, Muſter, or March by Vir- ‘ tue, or under Colour of that *pretended Ordinance*. ‘ And to this Declaration and Command of ours, we ‘ expect and require full Submiſſion and Obedience

‘ from

'from all our loving Subjects, upon their Allegi- 1642.
'ance, as they will anſwer the contrary at their Pe-
'rils; and as they tender the upholding of the true
'Proteſtant Religion, the Safety of our Perſon, and
'our Royal Poſterity, the Peace and Being of this
'Kingdom.'

Having given moſt of the *Papers* publiſhed on both Sides concerning the Buſineſs of the *Militia*, I ſhall endeavour, for the Readers better underſtanding the Thing, to explain a little more fully the Ground and Bottom of the Quarrel between the King and the Parliament, which I could not do but very briefly in my ſhort Remarks on ſeveral Paſſages of theſe Papers.

The State of the Queſtion between the King and the Parliament.

The Parliament did not deny, but in the ordinary Courſe of the Government, the Right of ſettling the *Militia*, and appointing thoſe who were to command under him, was in the King alone. But they affirmed, that in the preſent extraordinary Caſe, it was incumbent on them to take Care the Kingdom periſhed not by the King's Default. The Caſe they ſuppoſed was this, the King, for the ſpace of fifteen Years, endeavoured to eſtabliſh an abſolute Government, and actually eſtabliſhed the ſame on divers Occaſions: He pretended that he might govern without Parliaments, and accordingly did ſo for twelve Years together; during which Interval, he violated ſundry Laws, and ruled after an Arbitrary manner. Being compelled by Neceſſity to call this preſent Parliament, he ſeemed to acknowledge the Injuſtice of his former Conduct, by giving his Conſent to the good *Acts* which were made for the redreſs of paſt Grievances, and the Prevention of the like for the future. But at the very time that he expreſſed ſo great Condeſcenſion for his Subjects and an outward Repentance for his Faults, he ceaſed not to deviſe Means to become abſolute as he was before. The Parliament inferred from this his Conduct, that the King's Condeſcenſion was only in appearance; that on the firſt fair Opportunity, he would revoke the *Acts* he had conſented

to

1642. to, and which he affected to term always, *Acts of Grace*, though they were really *Acts of Justice*. Consequently it was necessary to put it out of his Power to go from what he had done, if he should desire it. The only way to hinder him from doing so was to put the *Militia* of the Kingdom into safe Hands, who should not depend upon the King, and prevent him from having Power over the *Militia*, for fear this same Power, either in him solely, or jointly with the two Houses, might enable him to break all the Measures which should be taken to hinder the Execution of his Designs.

It is manifest, that the Parliament was in the Right or in the Wrong, according as their Supposition was true or false. Let it be granted for a Moment, that their Supposition was well-grounded, and that the King had really a Design to render himself absolute, should the Parliament, out of pure respect for the antient Laws, leave the King in Possession of a Power which enabled him to alter the Constitution of the Government, and subvert once more these same Laws wherein the Safety of the People wholly consisted? Is it not evident, that in such a Case, it was necessary to infringe these same Laws, in order to establish them more firmly? When therefore the King objected to the Parliament, the Laws which gave the Kings of *England* certain Prerogatives, he manifestly supposed the Government to be in its natural State; but the Parliament supposed the contrary. Consequently the King's Arguments could make no Impression, because they were not applicable to the Case supposed by the Parliament. Unluckily, the King was forced to use against the Parliament the very Reasons the Parliament and People alledged formerly against him, when he usurped an absolute Power. He complained that the Parliament grounded their Right upon a pretended Necessity which was never proved, and himself had formerly made use of a Necessity still more imaginary, to impose arbitra-

ry

ry Taxes without the Consent of Parliament, contrary to the Laws of the Land. 1642.

But if on the other Hand, we suppose the Parliament's Suspicions to be chimerical, and that the King never gave any room for them, at least, since the beginning of this Parliament, and that his Intention to govern according to Law, was sincere, it is certain his Arguments from the Laws, Customs, Royal Prerogatives, were invincible, because in that Case, there would not have been any the least just Pretense to devest him of his Rights. The whole Question then was reduced to this single Point, whether the King was sincere, and his Word to be relied upon. But unluckily for him, a Fifteen-Years-Experience had convinced the major-Part of his Subjects, that he would have established an arbitrary Government; the Motives of his Condescension in the *Acts* passed this Parliament, were dubious, and Protestations for the Future, uncertain. Thus the Parliament had a great Advantage over him, because they had for Warrant of their Suspicions, the Time past, which was but too certain, whereas the King could only offer the Time to come, which had not the same Certainty.

Proclamation against the Ordinance Rush. IV. p. 550.

It was Time to have done with Declarations, Answers, and Replies concerning the *Militia*, since there was nothing new to be said on that Point. Besides, the Parliament were actually causing their Ordinance to be executed in all Places where the People were willing to obey. At last, *May* the 27th, the King issued out a Proclamation to forbid the putting the Ordinance of the Parliament in Execution on Pain to the Offenders of being declared Disturbers of the publick Peace. The Parliament on their Part published a Declaration, forbidding all Persons to obey the King's Proclamation, as being contrary to the Laws. As this might well appear very strange at first, both Houses grounded their Prohibition upon Reasons, of which I shall only relate the Substance, because as they flow from the Principles above-men-

Declaration of both Houses against it. p. 551.

1642. tioned, it will be eaſy to underſtand them. They ſaid then:

"That the Queſtion is not, whether it belong to "the King or no to reſtrain the levying of the Mi- "litia; but if the King ſhall refuſe to diſcharge that "Duty and Truſt, whether there be not a Power in "the two Houſes to provide for the Safety of the "Parliament, and Peace of the Kingdom? That "though the Law affirms that Power to be in the "King, yet it does not exclude thoſe in whom the "Law hath placed a Power for that purpoſe, as in "the Courts of Juſtice, yet can it not be reſtrained "by his Majeſty's Command, by his Great-Seal, or "otherwiſe, much leſs can the Power of Parlia- "ment be concluded by his Majeſty's Command.

"That though the King is the Fountain of Juſtice "and Protection, yet the Acts of Juſtice and Pro- "tection are not exerciſed in his own Perſon, but by "his Courts and his Miniſters; who muſt do their "Duty therein, though the King in his own Perſon "ſhould forbid them; and therefore if Judgments "ſhould be given by them againſt the King's Will "and perſonal Command, yet are they the King's "Judgment. Thus alſo, the High-Court of Par- "liament declares the King's Pleaſure in thoſe things "that are requiſite thereunto, and what they do "herein hath the Stamp of Royal Authority, al- "though his Majeſty do in his own Perſon oppoſe "or interrupt the ſame: For the King's ſupreme and "royal Pleaſure is exerciſed and declared in this "High-Court of Law and Council after a more emi- "nent and obligatory Manner, than it can be by any "perſonal Act or Reſolution of his own.

"That by the Conſtitution and Policy of this "Kingdom, the King by his Proclamation cannot "declare the Law contrary to the Judgment and Re- "ſolution of any of the inferior Courts of Juſtice, "much leſs againſt the High-Court of Parliament; "for if it were admitted that the King by his Procla-

"mation may declare a Law, thereby his Proclamations will in effect become Laws, which would turn to the ſubverting of the Law of the Land, and the Rights and Liberties of the Subjects." 1642.

Defect in the Reaſoning of the two Houſes.

Theſe are the principal Arguments alledged by the Parliament to ſhow that the King's Proclamation was contrary to the Laws. But there was a very viſible Defect in this their Reaſoning. They repreſented the two Houſes as the Whole of the Parliament, whereas it is very certain, the Parliament is compoſed of the King and both Houſes joined together and making but one and the ſame Body. What the Parliament ſaid is therefore ſtrictly true, if we underſtand the Word *Parliament* in the Senſe I juſt now mentioned, as a Body conſiſting of the King and the two Houſes. Indeed, the King cannot by his ſole Will and Pleaſure, ſubvert what has been ordained by the Parliament, becauſe himſelf making Part, and the nobleſt Part of the Parliament, he would contradict himſelf in forbidding a Thing he had already ordained. But if by the Parliament be meant the two Houſes alone without the King, it cannot be ſaid that their Declarations are the King's, or that they are more ſolemn and obligatory than the King's private Will. For if they were, the Conſtitution of the Government would be entirely overthrown. This is ſo true, that by retorting the Argument alledged by both Houſes againſt the King, one might demonſtrate by the ſame Reaſon, that they have Power to make Laws without the Concurrence of the King, which would be full as true, as their ſaying, that the King's Proclamations would be ſo many Laws. It is certain then, that by the Arguments they alledged againſt the King's Proclamation, they furniſhed invincible Reaſons againſt their own Ordinance. Nevertheleſs, upon this ſort of Sophiſtry it was that they grounded all the Authority they aſſumed to themſelves afterwards. They did themſelves therefore very great Injury, by going upon ſuch weak Arguments. Their Right ſolely conſiſted

1642. ſiſted in the Suppoſition that the King would have altered the Conſtitution of the Government, which they had a lawful Power to oppoſe by extraordinary Methods, ſince the Laws of the Land, inſtead of affording them any effectual Remedies, countenanced rather the King's Deſigns. The King, on his part, founded his Right upon the contrary Suppoſition, namely, that there was no Danger from him; but that the Parliament had undertaken to ſubvert the Conſtitution of Church and State. Such was the melancholly Situation *England* was then in.

I have related all together the Buſineſs of the *Militia*, which laſted however ſeveral Months, that I might not be obliged to break the Thread of the Narration, this Affair being of the utmoſt Importance, ſince it was the moſt immediate Cauſe of the Civil Wars which quickly enſued: but it was not the only one during that time. Wherefore it will be neceſſary to go back to the Time when I began my account of the Affair of the *Militia*, to ſee ſome others no leſs material, and whereof ſome contributed no leſs to the Rupture.

Bills for excluding the Biſhops and preſſing of Soldiers, paſſed.

The King having paſſed in the Month of *February* the two *Acts* ſo earneſtly deſired by the *Commons*, namely, for the Excluſion of the Biſhops, and for Preſſing of Soldiers, ſent the following Meſſage to both Houſes:

The King's Meſſage to both Houſes, Feb. 14. 1641-2. Ruſh. IV. P. 553.

"That his having paſſed theſe two Bills, being of "ſo great Importance, and ſo earneſtly deſired by "both Houſes, will ſerve to aſſure his Parliament, "that he deſires nothing more than the Satisfaction of "his Kingdom; yet that he may further manifeſt to "both Houſes how impatient he is, till he find out a "full Remedy to compoſe the preſent Diſtempers, "he is pleaſed to ſignify:

"That he will by Proclamation require, that all "Statutes made concerning Recuſants, be with all "Care, Diligence and Severity put in Execution.

"That

1642. "That his Majeſty is reſolved that the Seven condemned Prieſts ſhall be immediately baniſhed, if his Parliament ſhall conſent thereunto: And give preſent Order, that a Proclamation iſſue to require all Romiſh Prieſts within Twenty Days to depart the Kingdom; and if any ſhall be apprehended after that time, his Majeſty aſſures both Houſes, on the Word of a King, that he will grant no Pardon to any ſuch, without Conſent of his Parliament.

"And becauſe great and different Troubles are obſerved to ariſe, concerning the Government and Liturgy of the Church, his Majeſty declares, That he will refer that whole Conſideration to his Parliament: But deſires not to be preſſed to any ſingle Act on his part, till the whole be ſo digeſted and ſettled by both Houſes, that his Majeſty may clearly ſee what is fit to be left, as well as what is fit to be taken away.

"For *Ireland*, he will not refuſe to venture his own Perſon in that War, if his Parliament ſhall think it convenient, for the Reduction of that Kingdom.

"That he will moſt readily concur in any Reſolution their Wiſdoms ſhall find out, which may conduce to promote the Trade of the Kingdom."

The Parliament clear themſelves from a Deſign to accuſe the Queen. Ruſh. IV. p. 554.

The two Houſes contented themſelves with thanking his Majeſty for paſſing the two Bills, without returning any Anſwer upon the other Points.

The Queen being miſ-informed that there was a Deſign to accuſe her of High-Treaſon, the Parliament had notice of it, and ſent to vindicate themſelves from this Aſperſion. The Queen anſwered, it was true there was ſuch a Report, but that ſhe gave little Credit to it.

Letters from the Lord Digby *intercepted.* Ibid. p. 555.

Some Letters of the Lord *Digby*'s, directed to the Queen, to Sir *Lewis Dives* his Brother-in-law, and to Secretary *Nicholas* * being intercepted, the Parliament

* They were all incloſed in a Cover to Secretary *Nicholas*.

1642. ment caused them to be opened. It was found that the Lord *Digby*, who was then at *Middleburgh* in *Zeland*, advised the King to betake himself to a *Safe Place*, and desired the Queen to send him a *Cypher*, that he might hold a Correspondence with her. There were also in the Letters some sharp Expressions against the Parliament. The two Houses sent Copies of these Letters to their Majesties, assuring them that they were far from reflecting any Thing upon the Queen, only they besought her not to correspond with the Lord *Digby*. Some Days after, it was resolved by the *Commons* that the Lord *Digby* should be accused of High-Treason.

He is accused of High-Treason.

Message to the King concerning the Prince. Feb. 24. 1641-2.

February the 24th a Message was sent from both Houses to his Majesty, to acquaint him with the Reasons why they desired that the Prince of *Wales* should reside at *Hampton-Court*. The principal was, that the Prince's Removal might be a Cause to promote Jealousies and Fears in the Minds of his Subjects. For the Parliament lost no Opportunity to let the People see there was occasion to be alarmed. The King answered so as to give them to understand, he did not think himself accountable for his Conduct, with regard to the Prince his Son. He concluded with saying, he could not imagine from what Grounds these Fears and Jealousies proceeded: but if any Information had been given to that purpose, he desired the same might be examined to the Bottom: and then hoped their Fears would be hereafter continued only with reference to his Rights and Honour.

The King's Answer. Rush. IV. P. 556.

Proposals about Ireland. Ibid.

About the same time Proposals were made to the Parliament for the speedy raising of Money for the Reduction of *Ireland*. These Proposals were, that to such Persons as should be willing to advance Money for that Service, should be allotted, according to a certain Proportion, the Rebels Lands that should be confiscated, which was approved of by both Houses, and an Act passed accordingly, to which the King gave the Royal Assent. * The

* It was proposed that Two Millions and a half of those Acres might

The Queen ſate out for *Holland* about the End of the Month of *February*. 1642. *The Queen goes to* Holland.

March the 16th the King being at *Stamford* in his way to *York*, iſſued a Proclamation for ſtrictly putting in Execution the Laws againſt Papiſts. There was no great occaſion for this Proclamation, it ſerving only to ſhow that hitherto theſe Laws had been ill executed. But the King had a mind thereby to repel the Imputation of his protecting and countenancing the *Catholicks*, which his Enemies talked ſo much of among the People, as if this Protection was a Proof of his Deſign to introduce Popery. *The King iſſues a Proclamation againſt Papiſts.* Ruſh. IV. p. 559.

The King, as I ſaid, intended to ſecure *Hull* with the Magazine there: but his Intent was yet a Secret, and Means were deviſing to put it in practice. To this end, very probably, he ſent a Meſſage to the Parliament, to acquaint them that he had firmly reſolved to go into *Ireland* and head the *Engliſh* Troops. That therefore he intended to raiſe forthwith by his Commiſſions, in the Counties near *Weſt-Cheſter*, a Guard for his own Perſon, (when he ſhould come into *Ireland*) conſiſting of Two Thouſand *Foot* and Two Hundred *Horſe* [to be armed from his Magazine of *Hull*,] the paying whereof he deſired them to take upon them. It was eaſy to foreſee that this Propoſition would not be accepted in the preſent Juncture: for it was at the very time that the Buſineſs of the *Militia* was moſt warmly debating. But *The King informs the Parliament of his Deſign to go into* Ireland, *and of raiſing a Guard.* April 8. Ruſh. IV. p. 560.

might be aſſigned and divided amongſt the Adventurers after this Proportion; *Viz.*

	l.	
For each Adventure of	200	1000 Acres in *Ulſter*.
	300	1000 Acres in *Conaught*.
	450	1000 Acres in *Munſter*.
	600	1000 Acres in *Leinſter*.

All according to the *Engliſh* Meaſure, conſiſting of Meadow, Arable and Paſture, the Bogs, Woods, and barren Mountains being caſt in over and above, to be holden of *Free* and *Common Soccage* of the King, with the conſtant Rent of 1 *d.* each Acre in *Ulſter*, 2 *d.* ½ in *Conaught*, 2 *d.* ¼ in *Munſter*, 3 *d.* in *Leinſter*. *Ruſh.* IV. p. 556.

1642. the King hoped to reap ſome Advantage either from the Approbation or the Denial. If the Parliament conſented to it, the King found he ſhould be able to employ this pretended Guard of Two Thouſand Two Hundred Men, to render himſelf Maſter of *Hull*. At leaſt, one can ſcarce help thinking he had ſuch an Intention, conſidering what paſſed very ſhortly after. If his Propoſition was rejected, he flattered himſelf at leaſt that thereby he ſhould convince the People of his ſincere Deſire to reduce *Ireland*, and diſpel the Rumours that were ſpread Abroad on that Head, which would afford him Opportunity to throw all the Blame on the Parliament. Accordingly this was the only Uſe he made afterwards of this Offer, which was nothing elſe but a pure Stratagem, as the Earl of *Clarendon* owns in his Hiſtory. But whether both Houſes conſidered this Propoſition of the King's as a Snare, or as a real and ſincere Offer, they thought not fit to conſent to it. Indeed, as Things then ſtood, it was by no means proper to ſet the King at the Head of an Army in *Ireland*, and ſtill leſs, that he ſhould raiſe in *England* a Guard of Two Thouſand Two Hundred Men, juſt when they were labouring with all their Power to take from him the Command of the *Militia*, upon the Foundation of the Jealouſies conceived againſt him. For though hitherto they had been contented to accuſe only his Counſellors and a malignant Party of contriving Plots againſt the State, it was however but an Artifice to accuſe him himſelf. So, as they neither could nor would approve of the King's Propoſition, they preſented a Petition to him, ſetting forth:

Clarend. II. p. 501.

The two Houſes petition the King. Rush. IV. p. 561.

" That having duly conſidered his Majeſty's Meſ-
" ſage concerning his Purpoſe of going into *Ireland*
" to proſecute the War, which he was pleaſed to
" propound to them not as a Matter wherein he de-
" ſired the Advice of the Parliament, but as already
" firmly reſolved on, and forthwith to be put in Exe-
" cution, by granting out Commiſſions for the levy-

" ing

" ing of Two Thouſand Foot, and Two Hundred 1642.
" Horſe for a Guard for his Perſon; they could not
" but wonder, that a Buſineſs of ſo great Impor-
" tance, and wherein they had a ſpecial Intereſt, by
" thoſe great Sums which they had disburſed, and
" for which they ſtood engaged, ſhould be con-
" cluded and undertaken without their Advice. And
" therefore they held it their Duty to declare, That
" his going into *Ireland* would very much endanger
" the Safety of his Royal Perſon and Kingdoms, for
" the following Reaſons.

" 1. Becauſe his Royal Perſon would be ſubject
" not only to the Caſualties of War, but to the ſe-
" cret Practices and Conſpiracies of the *Papiſts*.

" 2. It would exceedingly encourage the Rebels,
" who did generally profeſs and declare, That his
" Majeſty countenanced their Proceedings, and that
" this Inſurrection was undertaken by the Warrant
" of his Commiſſion.

" 3. It would much increaſe the Charge of the
" War, and hinder the Advance of Money for ſup-
" porting it; many of the Adventurers, who had
" already ſubſcribed, upon hearing his Majeſty's
" Intention, declaring their Reſolution not to pay
" in their Money; and others who were willing to
" have ſubſcribed, now profeſſing the contrary.

" 4. His Abſence would very much interrupt the
" good Proceedings of Parliament.

" 5. It would exceedingly increaſe, and render
" more probable the Jealouſies and Fears of his Peo-
" ple, of ſome Force intended by evil Counſels near
" his Majeſty, in Oppoſition of the Parliament.

" 6. It would bereave the Parliament of that Ad-
" vantage, whereby they were induced to under-
" take that War, upon his Majeſty's Promiſe that
" it ſhould be managed by their Advice; which
" could not be done, if his Majeſty, contrary to
" their Counſels, ſhould undertake to order and go-
" vern it in his own Perſon.

" Upon

1642. "Upon which Reasons both Houses declared, "That they could not consent to any Levies of Soldiers to be made by his Majesty for his intended "Expedition into *Ireland*, or to the Payment of any "Army or Soldiers there, but such as should be employed and governed according to their Advice "and Direction: That if any such Levies should be "made by any Commission of his Majesty, (not "agreed to by both Houses of Parliament) they "should be forced to interpret the same to be raised "to the Terror of the People, and Disturbance of "the publick Peace, and hold themselves bound by "the Laws of the Kingdom, to apply the Authority of Parliament to suppress the same. And they "farther declared, That if his Majesty should by ill "Counsel be persuaded to go contrary to this Advice of his Parliament, they should not in that "case hold themselves bound to submit to any Commissioners which his Majesty should chuse; but "did resolve to preserve and govern the Kingdom "by the Counsel and Advice of Parliament, for his "Majesty and his Posterity, according to their Allegiance and the Laws of the Land."

Rush. IV. p. 561. The King returned a long Answer to this Petition, and confuted all the Parliament's Reasons, which in truth were very weak, considered in themselves. But if we take notice that it was but six Days since the King had resolved to secure *Hull*, when the Parliament presented their Petition to him, we shall not think it strange that they rejected the King's Offer. Wherefore they lost no time in replying to the King, and the Affair rested here, without any farther mention of his Majesty's pretended Expedition into *Ireland*. Only he made this Advantage of it, that he could say he had offered to go in Person and endeavour the Reduction of *Ireland*, but that his Offer was rejected.

Hitherto

1642. *Extreme Diſtruſt betwixt the King and Parliament.*

Hitherto we have ſeen how the Breach between the King and Parliament grew every Day wider. The Diſtruſt was ſo great on both Sides, that it was hardly poſſible they ſhould come to an Agreement. The King could not doubt that there was a Deſign to ſtrip him of great Part of his Authority; and the Parliament, plainly perceiving the King was not ignorant of their Intent, could ſcarce queſtion but he would privately take all poſſible Meaſures to prevent the Execution thereof. This was not all. The Parliament had alſo reaſon to fear, that the King would not only ſtand upon the Defence, but under colour of that, would moreover put himſelf in Condition to attack. Before the Accuſation of the Members of Parliament, whilſt the Reſolution of depriving the King of his Power was not fully taken, and many Members were yet wavering, it would not perhaps have been impoſſible to find Expedients for a Peace. But by this fatal Accuſation, and his coming to the Houſe of *Commons*, the King gave ſuch a Handle to his Enemies, who knew too well how to make the moſt of it, that it was no longer practicable for him to recover the Confidence of thoſe who till then had preſerved ſome Good-will towards him. Before this, the Deſign of ſtripping the King of his Authority was a Secret among ſome of the Leaders of the Party who were labouring to bring it about by Degrees, without daring to be too open; ſo that it was not eaſy to know perfectly they had really ſuch a Deſign. But it was not ſo eaſy to deceive the King, who was the principal Party concerned. He ſaw, that his Authority was undermining by little and little, and readily perceived where this *Mine* would end at laſt, were it ſuffered to go on. In this Perplexity he found it incumbent upon him to take Precautions, in order to oppoſe his Enemies: But on the other Hand, he was ſenſible he ſhould make his Cauſe bad, if he ſhould fall upon the Parliament themſelves, who were managed by theſe able Leaders, and ſo ſet the whole Nation againſt him. This Conſideration, very likely put

1642. put him upon resolving to attack in particular the Lord *Kimbolton*, with Five *Commoners* of the greatest Credit, imagining they would be sent to the *Tower* upon his Accusation, and then the Parliament, as being no more directed by these Men, would be better inclined in his Favour. He was not only out in his Conjecture, but did himself an irretrievable Injury, in that the Precaution he would have taken to screen himself from the secret Practices of some private Persons, was accounted a settled Design upon the whole Parliament. Thereby he confirmed the Suspicions which were infusing into the People, that he was seeking to render himself absolute, as he had formerly been; and from thence it naturally followed, that therefore it was necessary to put it out of his Power to execute this Design.

Then it was that this Resolution, taken first by some Few, was approved of by the Majority, who were now labouring to execute it effectually, by beginning with the important Affair of the *Militia*. For when the King was stript of the Power to command the *Militia*, and this Power lodged in the Hands of Persons devoted to the Parliament, he was quite disabled to stir. The King's Condition growing much worse, it was no hard Matter to perceive that, as his Enemies went to work, there was no middle Way for him, between becoming a Slave, or rendering himself Master. He was unwilling to be Slave, and it was no easy Task to become Master, as his Affairs then stood, and especially, having to do with very able and watchful Enemies. Believing, very probably, he should never be able to extricate himself out of the Danger he was in but by a War, he resolved to send the Queen into *Holland* to buy up Arms and Ammunition, to retire to *York* himself, and to try to secure *Hull*, though he coloured his Designs with other Pretences. He saw that the Parliament reckoned among the pretended Malignants, not only such as openly appeared for the King, but also those who were for preserving any Moderation, and that many suffered themselves

themſelves to be drawn into the ſame Plot, out of mere Fear, and becauſe they could not be ſure of Protection, in caſe they declared againſt the two Houſes. He thought therefore he ſhould chiefly endeavour to put himſelf in a State of being able to protect thoſe who dared to eſpouſe his Cauſe openly. But moreover, as the Parliament never ceaſed to infuſe Suſpicions into the People, it was abſolutely neceſſary for the King to do his utmoſt to efface theſe Impreſſions ſo prejudicial to him. Hence, in all the Papers publiſhed by him in the Buſineſs of the *Militia*, thoſe ſo frequent Expreſſions of his Affection for his People, and his Attachment for the Laws. His Aim was to let the Nation ſee that the Parliament acted directly contrary to the Law, in uſurping an Authority which was not proper to them. As it was by the very ſame Thing that the King had given occaſion to the People to be prejudiced againſt him, he was in hopes the Uſurpations of the Parliament would produce the ſame Effect. But in this he was much miſtaken. The People were perſwaded that the King without any Provocation, had invaded the Privileges of the Subject, during the fifteen firſt Years of his Reign, whereas if the Parliament had in any manner incroached upon the Rights of the King, it was purely in Maintainance of the Nation's Liberties, and to put the Laws again in force. 1642.

Though it was hard to prove by undoubted Evidence, that the King had formed the Project of ſeizing at once, the *Tower* of *London*, *Portſmouth*, and *Hull*, there were however ſo great Signs of it, that it would have been very imprudent in the Parliament not to think of ſecuring thoſe Places in the preſent Poſture of Affairs. Sir *John Byron* Lieutenant of the *Tower*, was a Man devoted to the King. The Earl of *Newcaſtle* * had been ſent to *Hull*, under a borrowed Name *1, and Information was given that he

* *Charles Cavendiſh* created 1 *Car.* I.

*1 He called himſelf Sir *John Savage*.

1642. he would have perſwaded the Mayor, to deliver up that Place to him. As for *Portſmouth*, the Journey the Queen was to take thither on ſome Pretenſe, and the Meeting of the Officers at *Kingſton* were more than enough to beget ſtrong Suſpicions on this Account. In ſhort, the Lord *Clarendon* frankly owns the King's Deſigns upon *Portſmouth* and *Hull*, though he ſays nothing of the *Tower*. Had his Deſigns ſucceeded, the King would have been Maſter of the three principal Forts of the Kingdom, with the Magazines of the *Tower* and *Hull*, and thereby in Condition to bring the Parliament under. Theſe Projects failing, as I ſaid, the King endeavoured the beſt he could to ſtifle them, and make them paſs for idle Fancies. But the two Houſes had a quite different Notion of them. And therefore the *Commons* never reſted till the Lieutenancy of the *Tower* was given to one they could confide in, and *Hotham* ſent to *Hull*. As for *Portſmouth*, the Parliament having no miſtruſt of *Goring* the Governour, becauſe he was the Perſon that had diſcovered the Conſpiracy to ſeduce the Army, were contented with ſending him ſufficient Orders, as they thought, for the Preſervation of the Place. From that time there was no mention of *Portſmouth*, for the King found Means to gain Colonel *Goring*, who promiſed to declare for him at a proper Time, as he did accordingly.

The King's ill Succeſs in theſe his ſecret Undertakings, hindered him not from perſiſting in his Deſign to free himſelf by Force, from the Slavery it was intended to reduce him to, plainly ſeeing it would be impoſſible for him to ſucceed any other way. To this End, no doubt he ſent the Queen to *Holland*, and having but little Money to give her, put into her Hands the Crown-Jewels, which were uſed in buying up Arms and Ammunition. If the Queen's Voyage had been only to conduct the Princeſs *Mary* to the Prince her Spouſe, and to drink the Waters of the *Spa*, there would have been no Occaſion to give her wherewithal to buy Arms and Ammunition. It is therefore

therefore very probable that from this Time the King had Thoughts of War, whether it were Offenſive or Defenſive only. But his Attempt upon *Hull*, where was a Magazine of Arms for ſixteen Thouſand Men, was ſtill a plainer Proof. The King himſelf had cauſed theſe Arms to be brought to *Hull*, when he had determined to go to War with *Scotland*. 1642.

The King's Deſign upon Hull. Ruſh. IV. p. 565.

When the Parliament ſent Sir *John Hotham* down to *Hull*, the King complained not of it, whether he was apprehenſive of being taxed with having attempted to ſecure that Place, or in order to amuſe the Parliament, and hinder them from taking any farther Care. Mean while, both Houſes ſeeing the King was removed at a Diſtance from *London*, and fearing for *Hull*, on account of the Magazine there, beſought his Majeſty by a Petition, to order the Magazine to be removed to the *Tower* of *London*. The King anſwered, he rather expected that both Houſes would have given him an account, why a Governour and Garriſon had been placed in *Hull* without his Knowledge, than to be moved to conſent for the removal to the *Tower* of a Magazine (which were his own proper Goods) upon ſuch general Reaſons as gave no Satisfaction to his Judgment: That in ſhort, he would not agree to the removing of theſe Arms, till he knew for what Service they were intended: And if any Attempt ſhould be made in this Matter without his Approbation, he ſhould eſteem it as the greateſt Violation of his Right. A little after, ſome Gentlemen of the County of *York* petitioned the King that the Magazine might not be removed, by reaſon they conceived the Kingdom, and particularly the *North*, to be in danger. This Petition was probably begged, ſince Matters were not yet come to that paſs, that private Perſons ſhould dare to preſent an Addreſs to the King, directly contrary to that of the Parliament, had they not been incouraged thereto. It is certain, the King intended to ſeize *Hull*, with the Magazine. He was deſirous to have a Place which would enable him to protect his Friends,

Both Houſes petition the King to remove the Magazine at Hull, *to the* Tower.

The King's Anſwer.

Petition of ſome of the Gentry againſt removing the Magazine. Ibid.

1642. Friends, and he depended upon this Magazine, to arm them in due Time. On this account it was that he refuſed to remove the Arms to the *Tower*, though he alledged other Reaſons. The Parliament on their Part, pleaded for the Removal, with Arguments that were not the true ones. At laſt, finding the King would not conſent to it, they ordered the beſt Part of the Magazine to be brought to the *Tower* without asking again his Approbation.

Part of the Magazine removed to the Tower by the Parliament.

The King and Parliament did each their utmoſt to make the People believe that in all their Proceedings, they had no other Motive than the Good and Advantage of the Kingdom. From theſe Proteſtations it is, that the Hiſtorians take their ſtrongeſt Arguments to demonſtrate the Innocence and Sincerity of the Party whoſe Cauſe they have eſpouſed. But the unbyaſſed Reader muſt peruſe the *Manifeſtoes*, and all the *Papers* of that kind with great Caution, for fear of being drawn into Error. It is certain the King had a Deſign to become Maſter of *Hull*, that he might not be at the Parliament's Mercy. But it is not ſo certain that herein his View was only to maintain the Conſtitution of the Government, to the end the Laws might be punctually executed. On the other Hand, the Parliament had ſent *Hotham* to *Hull*, to hinder the King from ſeizing the Town. But who can affirm, that their real Aim was to prevent the malignant Party from making uſe of it to eſtabliſh an arbitrary Power, and reduce the Kingdom to Servitude!

The King comes before Hull. Ruſh. IV. p. 567.

The King's Deſign broke out the 23d of *April*, when the Buſineſs of the *Militia* was debating with great Heat on both Sides. The Day before, he had ſent to *Hull*, the Duke of *York* his ſecond Son, with the young Elector *Palatine* his Nephew, under Colour of ſeeing the Place, and very likely theſe two Princes had a pretty numerous Retinue. *Hotham* and the Mayor received them with all the Reſpect due to their Rank. The Princes were entertained the firſt Day by the Mayor, and invited to dine with the

the Governour on the Morrow being St. *George's-Day.* 1642.
But the Entertainment was disturbed by an Officer [Sir *Lewis Dives*] who came a little before Dinner, and told the Governour that his Majesty intended to dine with him, being then within four Miles of the Town, with a Train of three Hundred Horse. *Hotham*, startled at the Message, consulted with some of his Friends, and it was resolved among them, that a Messenger should be dispatched to the King, humbly to beseech him to forbear to come, forasmuch as he could not without betraying the Trust committed to him, set open the Gates to so great a Guard as he came attended withal. The Messenger returning with a doubtful Answer, and certifying of the King's Advance to the Town, *Hotham* drew up the Bridges, shut the Gates, and commanded the Soldiers to stand to their Arms round the Walls. The King being come to *Beverly-Gate*, called for the Governour, who appearing on the Walls, he commanded him to open the Gate. The Governour answered, "He was intrusted by the Parliament for the securing of the Town, for his Majesty's Honour and the "Kingdom's Use, which he intended by God's Help "to do; proffering however, that if his Majesty "would be pleased to come in with twelve more, he "should be welcome, otherwise he could not without betraying his Trust to the State, admit Entrance to so great a Guard *." But the King refusing to enter on these Terms, repeated several times his Command to open the Gate, and still received the same Answer. Some time after, the Duke of *York*, and the Prince *Elector* went out of the Town and came to the King, who was pleased to give the Go-

* This is *Rushworth's* Account; but the Lord *Clarendon* and *Whitlock* say nothing of this Offer of *Hotham's*, but only that he should say, *he would not admit him though with twenty Horse only.* Indeed it does not seem likely that the King would have stood for eight Horse, since he offered to come in but with Twenty. *Clarend.* II. *p.* 107. *Whit p.* 55.

1642. vernour one Hour more to conſider what he did. But *Hotham* perſiſting in his Reſolution, the King offered at laſt to enter with thirty * Horſe only, which the other refuſed. In ſhort, about five in the Evening, the King returning to the Gate, commanded *Hotham* once more to open it, and upon his Refuſal, cauſed him to be proclaimed a Traytor by two *Heralds* he had brought along with him. Which done, he retired to *Beverly*, where he paſſed the Night. The next Morning, he ſent a *Herald* to *Hotham*, to ſummon him once more to open the Gates of *Hull*, with Promiſe of Pardon for what was paſt; but he could prevail nothing, inſomuch that he was forced to return to *York*.

Reflection on this Event.

When it is conſidered that the King had formed a Deſign to ſecure *Hull*, from the time he reſolved to withdraw to *York*, as the Lord *Clarendon* expreſſly owns, one would imagine that at leaſt he had contrived proper Means to accompliſh this Undertaking, the Succeſs whereof was of ſo great Moment. But one cannot tell what to think, when this ſame Attempt is ſeen to be ſo ill managed, that it was neither plauſible nor likely. The King was not ignorant that *Hotham* was Member of the Houſe of *Commons*, that this Houſe had pitched upon him for the Government of *Hull*, as upon one they could confide in: That *Hotham* knew very well, it was againſt the King that he was to keep the Place, however his Commiſſion might be worded. And yet he imagines, that his Preſence alone will frighten the Man, and that he will not dare to deny him Entrance with three Hundred *Horſe*, beſides the Train of the two Princes already admitted. That he will ſuffer himſelf to be ſtript of his Government upon the bare ſcruple of diſobeying his King, he who probably was choſen by the Houſe of *Commons* as one of the leaſt ſcrupulous. I own I cannot underſtand how the King could be adviſed to declare ſo openly in attempting thus to ſeize

* Twenty, ſays *Clarendon* and *Whitlock*.

ſeize *Hull*, and indeed from this Time, all mutual Confidence was entirely thrown aſide. It ſignified nothing to colour this Step, with ſaying he had no other Deſign than to viſit the Place, and examine the Magazine, in order to know what might be taken for the Service of *Ireland*, and to arm the *Scots*, who were to ſerve in that Country. This was not capable of deceiving the Parliament, who ſaw but too plainly what the King's Deſign was, and of what Conſequence it would have been, had it taken Effect, there were no fewer Papers, Meſſages, Anſwers, Replies, about this Affair, than about the Buſineſs of the *Militia*. 1642.

The King demands Juſtice upon Hotham. April 24. Ruſh IV. p. 567.

The King was vexed to the Heart to be thus diſappointed of his Aim, and ſeeing no other way to palliate his Proceedings, he reſolved to deny flatly that he had intended to become Maſter of *Hull*. By this Suppoſition, he would have Sir *John Hotham*'s Action conſidered as a manifeſt Treaſon, and demanded an authentick Reparation of the Parliament. He cited the Laws and Statutes which placed in the King the Care of defending the Realm, and the Command of the Forts and Magazines. But he always ſuppoſed the Kingdom to be in a State of Tranquillity, as it was deemed to be when theſe Laws were made, which was by no means the preſent Caſe. He pretended that the Forts and Magazines, were his own proper Goods, and particularly that of *Hull*, being purchaſed with his own Money, could not be with-held from him, without bringing him into a worſe Condition than that of the meaneſt of his Subjects.

But the Parliament did not grant theſe Suppoſitions. They maintained, that the Forts and Magazines were committed to the King as a Truſt to be employed for the Preſervation, and not for the Deſtruction of the People, and that the King's Pretenſion to the Property of the Forts and Magazines was groundleſs. It is no wonder that upon ſuch diffe-

1642. rent Principles the *Papers* ſhould abound on both Sides, without producing any great Effects. The King however had one Advantage, that the Parliament could not evidently prove what they advanced againſt him, and that in the main, the Authority aſſumed by both Houſes was founded only in bare Suſpicions of the King's ill Deſigns, which would have rendered it plauſible, had they been averred. But they did not think themſelves bound to wait for demonſtrative Proofs, in order to be aſſured of the King's ſecret Intentions. It was ſufficient for them to have Reaſons to ſuſpect him, which to them appeared ſtrong enough to oblige them to take Precautions which might come too late, in caſe they ſtayed for more convincing Proofs.

This is the Subſtance of all the *Papers* publiſhed on both Sides, about the Buſineſs of *Hull*. As I have already inſerted a good many concerning the Affair of the *Militia*, I think I ought to ſave the Reader the Pains of peruſing thoſe that were publiſhed on the preſent Subject, they all running upon the ſame Principles and Suppoſitions ſo often mentioned.

The King tries to ſeize Hull *by Intelligence.* May. Ruſh. IV. p. 666.

The Parliament openly ſupported Sir *John Hotham*; ſo that after abundance of Meſſages, Declarations, Anſwers and Replies, the King had no way left to become Maſter of *Hull*, but by Surprize or Force. The laſt of theſe ways was not very practicable, becauſe he could depend but upon a ſmall Number of Troops, and had no Artillery, Arms or Ammunition. It is true, he expected ſome from *Holland*, but the Time was very uncertain. And therefore he attempted to take *Hull* by Intelligence. In the Execution of this Deſign, he made uſe of Mr. *Beckwith* a Gentleman of *Beverly*, who had a Son-in-law an Officer in *Hull*. But this Officer diſcovered the Plot to the Governour, who was ſo civil as to ſend the King word, he might ſave himſelf the Trouble of carrying on the Contrivance, and at the

ſame Time gave the Parliament notice of it. *Beckwith* retiring to the King at *York*, the Parliament diſpatched thither a Meſſenger to ſeize and bring him to *London*: But the Meſſenger was not permitted to execute his Orders. 1642.

The King and Parliament prepare for War, and ſtrive to gain the People.

From that Time, the King and the Parliament prepared for War, it being very eaſy to foreſee it would come to that in the End. But as each ſtood in need of the People to bear the Charge, ſo each uſed their utmoſt to gain them to their Side, by letting them ſee the Injuſtice of the contrary Party, and by ſtriving to make them ſenſible that all was for their ſake. The Parliament pretended that the Malignants, by whom the King ſuffered himſelf to be guided, had formed a Deſign to inſlave the Nation, wherein they could not ſucceed, but by inflaming the Miſunderſtanding between the King and the Parliament, in order to ingage them in a Civil War, which they hoped would end well for the King. This was the Parliament's Suppoſition, from whence they drew this Concluſion, that therefore it was neceſſary to prevent by good Meaſures the Execution of this Deſign, and to put themſelves in a Poſture of Defence, in Caſe the King continued to be thus guided by the malignant Party.

The King on his Side pretended that the Parliament, in feigning to have only in view the Good of the Kingdom, meant in reality to alter the Conſtitution of the Church and State: That they deſigned to aboliſh the Regal Power, or to render the King but the Shadow of a Sovereign, whilſt both Houſes would be truly in Poſſeſſion of the Government. He inferred from this Suppoſition, that he would ſooner be expoſed to the greateſt Hazards, than receive Law from his Subjects; his Conſcience and the Care of the Realm, which God had intruſted him with, not permitting him to ſuffer ſuch Alterations as were deſigned in Church and State. What ſecret Motives ſoever both might have, the Reaſons they alledged were very plauſible, and thoſe who ſought only Juſ-

1642. tice, were at no small loss which Side to espouse. But the Parliament seemed to have a great Advantage upon the King, in that their Party was much more numerous, and the Forts and *Militia* in their Hands, with plenty of Arms and Ammunition, whilst the King was wholly unprovided. Nevertheless, the King was not without his Hopes. He had privately gained Colonel *Goring* Governour of *Portsmouth*, as I have said. The Queen was actually busy in *Holland* in providing Artillery, Arms, Ammunition, and getting several Officers of the *English* Troops then in the *Dutch* Service. The greatest Part of the *Yorkshire* Gentlemen, the largest County in *England*, were for him, and he did not question but by their Means he should engage the whole County to declare in his Favour. With this Assistance, he hoped to prevent the Parliament, and have on foot a sufficient Number of Forces to take *Hull*, before the Parliament should be in a readiness to oppose it. He further expected that when he should be Master of *Hull* and *Portsmouth*, and had received Arms from *Holland*, abundance of People, who were still kept back by the Fear of wanting Protection, would openly take his Part. Besides this, he gave private notice to all his Friends, that it was Time to repair to *York*, and ordered Letters to be sent in his Name to such Members as adhered to him, to absent themselves from the Parliament, and retire to *York*, or to other Places where they might be of Service to him.

The King summons all the Gentry of Yorkshire.

All these Measures could not be taken so privately but the Parliament had Information of some of them; and therefore the King endeavoured to give some Colour to them, in order to hinder his Designs from being dived into. After missing his Aim at *Hull*, he summoned all those of the County of *York*, who were *Tenants in Chief*, to appear at *York* the 12th of *May*.

Shortly

Shortly after, both Houſes ſent a Committee * to *York*, under Pretenſe of bringing the King a Meſſage about *Hull* and the *Militia*, but in reality, to be Spies upon his Actions. This Meſſage was ſo much the more diſagreeable to him, as after having returned an Anſwer, and diſmiſſed the Committee, they told him they had Orders to ſtay at *York*. Though it was eaſy for him to ſee with what View the Parliament had ſent this Committee, he thought not proper to drive them from the City by violent Means. 1642. *A Committee is ſent to* York, *who ſtay there in ſpite of the King.* Ruſh. IV. p. 615.

The 12th of *May*, the Gentry of the County being come to *York*, his Majeſty made a Speech to them, wherein he proteſted, "That the enjoying of "Quiet was the chief Cauſe of his coming among "them in the *North*, and not to make that part of "the Kingdom a Seat of War, as Malice would "make them believe. He added, that both Houſes "of Parliament did, by their Meſſengers, brave "him even in *York*; and that as his Magazine of "*Hull* was going, directly againſt his Will, to be "taken from him; and the *Militia* to be put in Execution againſt Law and his Conſent; and laſtly, "as Sir *John Hotham*'s Treaſon was countenanced, "none could blame him for apprehending Danger. Therefore he was reſolved to have a "Guard, in which he deſired their Concurrence and "Aſſiſtance." *The King's Propoſal to the Gentry of* Yorkſhire. Ruſh. IV. p. 615.

The *Yorkſhire* Gentry being variouſly diſpoſed, it was not poſſible for them that heard the King's Speech, to agree in the ſame Anſwer. Nay, it is ſaid that the Court uſed ſome Violence to ſhut out from the Debate ſuch as were known to be oppoſite to the King, and that theſe were forced to go and aſſemble elſewhere. For this Reaſon the King received four different Anſwers to his Propoſition, two whereof were ſatisfactory, and the other two be- *He receives four different Anſwers.*

* *Ferdinando* Lord *Fairfax*, Sir *Hugh Cholmley*, Sir *Philip Stapleton*, and Sir *Henry Cholmley*. Ruſh. IV. p. 615.

1642. ſought him to hearken to the Advice of his Parliament. The Guard however was raiſed, and the Command thereof given to the Prince of *Wales*.

The Parliament hinders the King from removing the Courts of Juſtice to York.

The King would have alſo removed the Courts of Juſtice from *Weſtminſter* to *York*, and even ſent a Proclamation to the Lord-Keeper *Littleton* for that Purpoſe, with Orders to publiſh it. But the Parliament having notice of it, forbid him to put the Orders in Execution.

He ſends for Skippon, *and the Parliament will not let him go.* May 17.

Serjeant Major-General *Skippon* being a very good Officer, and the King knowing the Parliament deſigned to employ him, ſent for him to attend him at *York*. But the Parliament gave him Orders to the contrary, which *Skippon* obeyed. This doubtleſs the King plainly foreſaw, but he was very glad to ſhow that the Parliament deſired a War, ſince they contradicted his Orders with ſo much Haughtineſs.

As Matters ſtood between the King and the Parliament, a War ſeemed unavoidable, and in all likelihood, it was already determined on both Sides. The only Thing now was to dazzle the Publick with good or bad Reaſons, and to try to caſt the blame on the oppoſite Party. Mean while, the King's two Anſwers of *March* the 9th, and the 20th, not being replied to, the Parliament was apprehenſive that their Silence would produce an ill Effect in the Minds of the People. Wherefore they took occaſion, when they anſwered theſe two Meſſages, to publiſh a *Manifeſto*, under the Name of *Remonſtrance* or *Declaration*, the 19th of *May*. As this *Manifeſto*, and the King's Anſwer are very proper to inform the Reader of the Reaſons of both Parties, or at leaſt of thoſe they alledged to ſupport their Cauſe, and vindicate their Conduct, I think it neceſſary to inſert here theſe two *Papers*, for fear the abridging them may be an Injury to either.

The

The DECLARATION *or* REMONSTRANCE *of the Lords and Commons in Parliament aſſembled*, May 19th, 1642.

'THE infinite Mercy and Providence of the Almighty God hath been abundantly manifeſted ſince the beginning of this Parliament, in great Variety of Protections and Bleſſings, whereby he hath not only delivered us from many wicked Plots and Deſigns, which if they had taken effect, would have brought Ruin and Deſtruction upon this Kingdom; but out of thoſe Attempts hath produced divers evident and remarkable Advantages to the furtherance of thoſe Services, which we have been deſirous to perform to our Sovereign Lord the King, and to his Church and State, in providing for the publick Peace and Proſperity of his Majeſty, and all his Realms, which in the preſence of the ſame all-ſeeing Deity, we proteſt to have been, and ſtill to be the only End of all our Councils and Endeavours, wherein we have reſolved to continue freed, and enlarged from all private Aims, perſonal Reſpects or Paſſions whatſoever (1). Ruſh. IV. p. 691.

'In which Reſolution we are nothing diſcouraged, although the Heads of the malignant Party diſappointed of their Prey, the Religion and Liberty of this Kingdom, which they were ready to ſeize upon

REMARK (1). *It may be preſumed that there were in both Houſes, many Members who acted with Sincerity, and who believed they really ſerved the Publick in all they did againſt the King. But it is hard to conceive how both Houſes, conſiſting of ſo many Members who were ignorant of one another's inward Sentiments, could call God to Witneſs, that they acted only from juſt Motives, free from Paſſion and private Views.*

'and

1642. ‘ and devour before the Beginning of this Parliament, ‘ have ſtill perſiſted by new Practices, both of Force ‘ and Subtilty, to recover the ſame again; for which ‘ purpoſe they have made ſeveral Attempts for the ‘ bringing up the Army; they afterwards projected ‘ the falſe Accuſation of the Lord *Kimbolton* and the ‘ Five Members of the Houſe of Commons, which ‘ being in itſelf of an odious Nature, they yet ſo far ‘ prevailed with his Majeſty, as to procure him to ‘ take it upon himſelf; but when the unchangeable ‘ Duty and Faithfulneſs of the Parliament could not ‘ be wrought upon by ſuch a Fact as that, to with- ‘ draw any part of their Reverence and Obedience ‘ from his Majeſty, they have with much Art and ‘ Induſtry, adviſed his Majeſty to ſuffer divers unjuſt ‘ Scandals and Imputations upon the Parliament, to ‘ be publiſhed in his Name, whereby they might ‘ make it odious to the People, and by their Help ‘ to deſtroy that which hitherto hath been the only ‘ Means of their own Preſervation.

‘ For this purpoſe they have drawn his Majeſty ‘ into the northern Parts far from the Parliament, ‘ that ſo falſe Rumours might have time to get Cre- ‘ dit, and the juſt Defences of the Parliament find a ‘ more tedious, difficult, and diſadvantageous Acceſs ‘ after thoſe falſe Imputations and Slanders had been ‘ firſt rooted in the Apprehenſion of his Majeſty, and ‘ his Subjects, which the more ſpeedily to effect, they ‘ have cauſed a Preſs to be tranſported to *York*, from ‘ whence ſeveral Papers and Writings of that kind ‘ are conveyed to all Parts of the Kingdom, without ‘ the Authority of the Great-Seal, in an unuſual and il- ‘ legal Manner, and without the Advice of his Majeſty's ‘ Privy-Council; from the greater and better Part ‘ whereof having withdrawn himſelf, as well as from his ‘ great Council of Parliament, he is thereby expoſed ‘ to the wicked and unfaithful Counſels of ſuch as ‘ have made the Wiſdom and Juſtice of the Parliament ‘ dangerous to themſelves, and this Danger they la- ‘ bour to prevent by hiding their own Fears, and as

‘ much

'much as in them lies, aſperſing his Royal Perſon and 1642.
'Honour with their own Infamy, from both which
'it hath always been as much the Care, as it is the
'Duty of the Parliament to preſerve his Majeſty,
'and fix the Guilt of all evil Actions and Counſels,
'upon thoſe who have been the Authors of them.

'Amongſt divers Writings of this kind, we the
'Lords and Commons in Parliament, have taken in-
'to our Conſideration two printed Papers; the firſt
'containing a Declaration which they received from
'his Majeſty, in anſwer of that which was preſented
'to his Majeſty from both Houſes of Parliament at
'*Newmarket*, the 9th of *March* 1641. The other
'his Majeſty's Anſwer to the Petition of both Houſes,
'preſented to his Majeſty at *York* the 26th of *March*
'1642, both which are filled with harſh Cenſures,
'and cauſeleſs Charges upon the Parliament; con-
'cerning which we hold it neceſſary to give Satisfac-
'tion to the Kingdom, ſeeing we find it difficult to
'ſatisfy his Majeſty, whom, to our great Grief, we
'have found to be ſo engaged to, and poſſeſſed by
'thoſe Miſapprehenſions which evil Counſellors have
'wrought in him, that our moſt humble and faithful
'Remonſtrances have rather irritated and imbittered,
'than any thing allayed or mitigated the ſharp Ex-
'preſſions which his Majeſty has been pleaſed to make
'in Anſwer to them; for the Manifeſtation whereof,
'and of our own Innocency, we deſire that all his
'Majeſty's loving Subjects may take notice of theſe
'Particulars.

'We know no Occaſion given by us, which might
'move his Majeſty to tell us, That in our Declarati-
'on preſented at *Newmarket*, there were ſome Expreſ-
'ſions different from the uſual Language to Princes.

'Neither did we tell his Majeſty, either in Words
'or in Effect, That if he did not join with us in an
'*Act* which his Majeſty conceived might prove pre-
'judicial and dangerous to himſelf and the whole King-
'dom, we would make a Law without him, and im-
'poſe it upon the People. That which we deſired was,

'That

1642. ‘That in regard of the imminent Danger of the Kingdom, the Militia, for the Security of his Majesty and his People, might be put under the Command of such noble and faithful Persons, as they had all cause to confide in: And such was the Necessity of this Preservation, that we declare, That if his Majesty should refuse to join with us therein, the two Houses of Parliament being the supreme Court and highest Council of the Kingdom, were enabled, by their own Authority, to provide for the repulsing of such imminent and evident Danger, not by any new Law of their own making, as hath been untruly suggested to his Majesty, but by the most antient Law of this Kingdom, even that which is fundamental and essential to the Constitution and Subsistance of it.

‘Although we never desired to encourage his Majesty to such Replies as might produce any Contestation betwixt him and his Parliament, of which we never found better Effect than the Loss of Time, and Hindrance of the publick Affairs; yet we have been far from telling him of how little value his Words would be with us, much less when they are accompanied with Actions of Love and Justice. His Majesty hath more reason to find fault with those wicked Counsellors, who have so often bereaved him of the Honour, and his People of the Fruit of so many gracious Speeches which he made to them, such as those in the End of the last Parliament; *That in the Word of a King, and as he was a Gentleman, he would redress the Grievances of his People, as well out of Parliament as in it:* Were the Searching the Studies and Chambers, yea, the Pockets of some, both of the Nobility and Commons the very next Day; the Commitment of Mr. *Bellasis*, Sir *John Hotham*, and Mr. *Crew*; the continued Oppressions by *Ship-Money*, *Coat* and *Conduct-Money*; with the manifold Imprisonments, and other Vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom,

'dom, (all which were the Effects of evil Counſel, 1642;
'and abundantly declared in our general Remon-
'ſtrance of the State of the Kingdom) Actions of
'Love and Juſtice, ſuitable to ſuch Words as theſe?

'As gracious was his Majeſty's Speech in the be-
'ginning of this Parliament; *That he was reſolved to*
'*put himſelf freely upon the Love and Affection of his*
'Engliſh *Subjects.* Whether his cauſeleſs Complaints
'and Jealouſy, the unjuſt Imputations ſo often caſt
'upon his Parliament, his Denial of their neceſſary
'Defence by the Ordinance of the Militia, his dan-
'gerous abſenting himſelf from their great Council,
'like to produce ſuch miſchievous Diviſion in the
'Kingdom, have not been more ſuitable to other
'Mens evil Counſels, than to his own Words, will
'eaſily appear to any indifferent Judgment.

'Neither have his latter Speeches been better uſed
'and preſerved by theſe evil and wicked Counſellors;
'Could any Words be fuller of Love and Juſtice
'than thoſe in his Anſwer to the Meſſage ſent the
'Houſe of Commons the One and Thirtieth of *De-*
'*cember* 1641? *We do engage unto you ſolemnly on the*
'*Word of a King, that the Security of all, and every*
'*one of you from Violence, is and ever ſhall be as much*
'*our Care, as the Preſervation of us and our Children.*
'And could any Actions be fuller of Injuſtice and
'Violence than that of the Attorney-General, in
'falſly accuſing the Six Members of Parliament, and
'the other Proceedings thereupon, within Three or
'Four Days after the Meſſage? For the full View
'whereof, let the Declaration made of thoſe Pro-
'ceedings be peruſed; and by thoſe Inſtances (we
'could add many more) let all the World judge who
'deſerves to be taxed with diſvaluing his Majeſty's
'Words, they who have as much as in them lies
'ſtained and ſullied them with ſuch foul Counſels;
'or the Parliament, who have ever manifeſted with
'Joy and Delight their humble Thankfulneſs for
'thoſe gracious Words and Actions of Love and
'Juſtice which have been conformable thereunto.

'The

1642. ‘ The King is pleaſed to diſavow the having any ‘ ſuch evil Council or Counſellors as are mentioned ‘ in our Declaration to his Knowledge ; and we hold ‘ it our Duty humbly to avow there are ſuch, or elſe ‘ we muſt ſay, that all the ill Things done of late in ‘ his Majeſty's Name, have been done by himſelf, ‘ wherein we ſhould follow neither the Direction of ‘ the Law, nor the Affection of our own Hearts, ‘ which is as much as may be, to clear his Majeſty ‘ from all Imputation of Miſgovernment, and to lay ‘ the Fault upon his Miniſters ; the falſe accuſing of ‘ Six Members of Parliament ; the juſtifying of ‘ Maſter Attorney in that falſe Accuſation ; the vio- ‘ lent coming to the Houſe of Commons ; the de- ‘ nyal of the Militia ; the ſharp Meſſages to both ‘ Houſes, contrary to the Cuſtoms of Kings ; the ‘ long and remote Abſence of his Majeſty from Par- ‘ liament ; the heavy and wrongful Taxes upon both ‘ Houſes ; the cheriſhing and countenancing a diſ- ‘ contented Party in the Kingdom againſt them : ‘ Theſe certainly are the Fruits of very ill Counſel, ‘ apt to put the Kingdom into a Combuſtion, to ‘ hinder the Supplies of *Ireland*, and to countenance ‘ the Proceedings and Pretenſions of the Rebels ‘ there ; and the Authors of thoſe evil Counſels, we ‘ conceive, muſt needs be known to his Majeſty. And ‘ we hope our labouring with his Majeſty to have ‘ theſe diſcovered and brought to a juſt Cenſure, will ‘ not ſo much wound his Honour in the Opinion of ‘ his good Subjects, as his labouring to preſerve and ‘ conceal them.

‘ And whereas his Majeſty ſaith, He could wiſh ‘ that his own immediate Actions, which he avows ‘ on his own Honour, might not be ſo roughly cen- ‘ ſured under that common Stile of evil Counſellors : ‘ We could alſo heartily wiſh, That we had not ‘ cauſe to make that Stile ſo common, but how often ‘ and undutiful ſoever theſe wicked Counſellors fix ‘ their Diſhonour upon the King, by making his ‘ Majeſty the Author of thoſe Actions, which are

‘ the

'the Effects of their own evil Counſels: We his 1642.
'Majeſty's loyal and dutiful Subjects can uſe no o-
'ther Stile, according to that Maxim in the Law,
'*The King can do no wrong*; but if any ill be com-
'mitted in Matter of State, the Council; if in Mat-
'ter of Juſtice, the Judges muſt anſwer for it.

'We lay no Charge upon his Majeſty, which ſhould
'put him upon the Apology, concerning his faith-
'ful and zealous Affection of the Proteſtant Pro-
'feſſion: Neither doth his Majeſty endeavour to clear
'thoſe in great Authority about him, by whom (we
'ſay) that Deſign hath been potently carried on
'for divers Years; and we rather wiſh that the Mer-
'cies of Heaven than the Judgments may be mani-
'feſted upon them; but that there have been ſuch,
'there are ſo plentiful and frequent Evidences, that
'we believe there is none, either Proteſtant or Pa-
'piſt, who hath had any reaſonable View of the Paſ-
'ſages of latter Times, but either in Fear or Hope,
'did expect a ſudden Iſſue of this Deſign.

We have no way tranſgreſſed againſt the Act of
'Oblivion, by remembring the intended War a-
'gainſt *Scotland*, as a Branch of that Deſign to alter
'Religion, by thoſe wicked Counſels, from which
'God did then deliver us, which we ought never to
'forget.

'That the Rebellion in *Ireland* was framed and
'cheriſhed by the Popiſh and Malignant Party in
'*England*, is not only affirmed by the Rebels, but
'may be cleared by many Proofs: The ſame rebel-
'lious Principles of pretended Religion, the ſame
'politick Ends are apparent in both, and their ma-
'licious Deſigns and Practices are masked and diſ-
'guiſed with the ſame falſe Colour of their earneſt
'Zeal to vindicate his Majeſty's Prerogative from
'the ſuppoſed Oppreſſion of the Parliament. How
'much theſe treacherous Pretenſes have been coun-
'tenanced by ſome evil Counſel about his Majeſty,
'may appear in this, That the Proclamation whereby
'they were declared Traytors, was ſo long with-
'held

1642. ‘ held as to the 2d of *January*, though the Rebellion ‘ broke forth in *October* before, and then no more ‘ but Forty Copies appointed to be printed, with a ‘ ſpecial Command from his Majeſty not to exceed ‘ that Number; and that none of them ſhould be ‘ publiſhed, till his Majeſty's Pleaſure were further ‘ ſignified, as by the Warrant appears, a true Copy ‘ whereof is hereunto added, ſo that a few only ‘ could take notice of it; which was made more ‘ obſervable, by the late contrary Proceedings a- ‘ gainſt the *Scots*, who were in a quick and ſharp ‘ Manner proclaimed; and theſe Proclamations forth- ‘ with diſperſed, with as much Diligence as might ‘ be, through all the Kingdom, and ordered to be ‘ read in all Churches, accompanied with publick ‘ Prayers and Execrations.

‘ Another Evidence of Favour and Countenance ‘ to the Rebels in ſome of Power about his Majeſty ‘ is this, That they have put forth in his Name a ‘ cauſeleſs Complaint againſt the Parliament, which ‘ ſpeaketh the ſame Language of the Parliament ‘ which the Rebels do, whereby to raiſe a Belief in ‘ Mens Minds that his Majeſty's Affections are alie- ‘ nated, as well as his Perſon is removed from that ‘ great Council; all which doth exceedingly retard ‘ the Supplies of *Ireland*, and more advance the Pro- ‘ ceedings of the Rebels, than any Jealouſy or Miſ- ‘ apprehenſion begotten in his Subjects, by the De- ‘ claration of the Rebels Injunctions of *Roſetti*, or In- ‘ formation of *Triſtram Whitecomb*; ſo that conſidering ‘ the preſent State and Temper of both Kingdoms, ‘ his Royal Preſence is far more neceſſary here than ‘ in *Ireland*, for Redemption or Protection to his ‘ Subjects there.

‘ And whether there be any Cauſe of his Majeſty's ‘ great Indignation, for being reproached to have in- ‘ tended Force or Threatning to the Parliament, we ‘ deſire them to conſider, who ſhall read our Decla- ‘ ration, in which there is no word tending to any ‘ ſuch Reproach; and certainly we have been more

‘ tender

'tender of his Majeſty's Honour in this point than 1642.
'he, whoſoever he was, that did write this Declara-
'tion, where in his Majeſty's Name, he doth call
'God to witneſs he never had any ſuch Thought, or
'knew of any ſuch Reſolution of bringing up the
'Army; which truly will ſeem ſtrange to thoſe who
'ſhall read the Depoſition of Mr. *Goring*, the Infor-
'mation of Mr. *Percy*, and divers other Examina-
'tions of Mr. *Wilmot*, Mr. *Pollard*, and others; the
'other Examinations of Captain *Legg*, Sir *Jacob*
'*Aſhley*, Sir *John Conniers*; and conſider the Condi-
'tion and Nature of the Petition which was ſent un-
'to Sir *Jacob Aſhly*, under the Approbation of *C. R.*
'which his Majeſty doth now acknowledge to be his
'own Hand; and being full of Scandal to the Par-
'liament, might have proved dangerous to the
'whole Kingdom, if the Army ſhould have inter-
'poſed betwixt the King and them as was deſired.

'We do not affirm that his Majeſty's Warrant
'was granted for the Paſſage of Mr. *Jermin*, after
'the Deſire of both Houſes for Reſtraint of his
'Servants, but only that he did paſs over, after that
'Reſtraint, by virtue of ſuch a Warrant. We know
'the Warrant bears date the Day before our Deſire;
'yet it ſeems ſtrange to thoſe who know how great
'Reſpect and Power Mr. *Jermin* had in the Court,
'that he ſhould begin his Journey in ſuch haſte, and
'in Apparel ſo unfit for Travel, as a black Satten
'Sute, and white Boots, if his going were deſigned
'the Day before.

'The Accuſation of the Lord *Kimbolton*, and the
'Five Members of the Houſe of Commons, is cal-
'led a *Breach of Privilege*; and truly ſo it was, and
'a very high one, far above any Satisfaction that
'hath been given: How can it be ſaid to be largely
'ſatisfied, ſo long as his Majeſty laboured to preſerve
'Maſter Attorney from Puniſhment, who was the
'viſible Actor in it; ſo long as his Majeſty hath
'not only juſtified him, but by his Letters declared,
'that it was his Duty to accuſe them, and that he

1642. ‘ would have puniſhed him if he had not done it; ‘ ſo long as theſe Members have not the Means of ‘ clearing their Innocency, and the Authors of that ‘ malicious Charge undiſcovered, though both ‘ Houſes of Parliament have ſeveral times petitioned ‘ his Majeſty to diſcover them, and that not only ‘ upon Grounds of common Juſtice, but by Act of ‘ Parliament, his Majeſty is bound to do it; ſo long ‘ as the King refuſeth to paſs a *Bill* for their Diſ- ‘ charge, alledging, That Narrative in the *Bill* is ‘ againſt his Honour, whereby he ſeems ſtill to avow ‘ the Matter of that falſe and ſcandalous Accuſation, ‘ though he deſerts the Proſecution, offering to paſs ‘ a Bill for their Acquittal; yet with Intimation, that ‘ they muſt deſert the avowing their own Innocency, ‘ which would more wound them in Honour than ſe- ‘ cure them in Law.

‘ And in vindication of this great Privilege of ‘ Parliament, we do not know that we have invaded ‘ any Privilege belonging to his Majeſty, as is al- ‘ ledged in this Declaration.

‘ But we look not on this only in the Notion of a ‘ Breach of Privilege, which might be, though the ‘ Accuſation were true or falſe, but under the No- ‘ tion of a heinous Crime in the Attorney, and all ‘ other Subjects who had a Hand in it, a Crime a- ‘ gainſt the Law of Nature, againſt the Rules of ‘ Juſtice, that innocent Men ſhould be charged with ‘ ſo great an Offence as Treaſon, in the Face of the ‘ higheſt Judicatory of the Kingdom, whereby their ‘ Lives and Eſtates, their Blood and their Honour ‘ are endangered, without Witneſs, without Evi- ‘ dence, without all Poſſibility of Reparation in a ‘ legal Courſe, yet a Crime of ſuch a Nature, that ‘ his Majeſty's Command can no more warrant, than ‘ it can any other Acts of Injuſtice. It is true that ‘ thoſe things that are evil in their own Nature, ſuch ‘ as a falſe Teſtimony or falſe Accuſation, cannot be ‘ the Subject of any Command, or induce any Obli- ‘ gation of Obedience upon any Man, by any Au- ‘ thority

'thority whatſoever; therefore the Attorney in this 1642.
'Caſe was bound to refuſe to execute ſuch a Com-
'mand, unleſs he had ſome ſuch Evidence or Teſti-
'mony as might have warranted him againſt the
'Parties, and be liable to make Satisfaction if it
'ſhould prove falſe; and it is ſufficiently known to
'every Man, and adjudged in Parliament, That the
'King can be neither the Relator, Informer, or Wit-
'neſs. If it reſt as it is, without further Satisfaction,
'no future Parliament can be ſafe, but that the
'Members may be taken and deſtroyed at Pleaſure;
'yea the very Principles of Government and Juſtice
'will be in danger to be diſſolved.

'We do not conceive that Numbers do make an
'Aſſembly unlawful, but when either the end or man-
'ner of their Carriage ſhall be unlawful. Divers
'juſt Occaſions might draw the Citizens to *Weſtmin-*
'ſter, where many publick and private Petitions,
'and other Cauſes were depending in Parliament;
'and why that ſhould be found more faulty in the
'Citizens, than the Reſort of great Numbers every
'Day in the Term to the ordinary Courts of Juſtice,
'we know not. That thoſe Citizens were notoriouſly
'provoked and aſſaulted at *Weſtminſter* by Colonel
'*Lunsford*, Captain *Hide*, with divers others, and by
'ſome of the Servants of the Archbiſhop of *York*, is
'ſufficiently proved; and that afterward they were
'more violently wounded, and moſt barbarouſly
'mangled with Swords by the Officers and Soldiers
'near *Whitehall*, many of them being without Weap-
'ons, and giving no cauſe of Diſtaſte, as is likewiſe
'proved by ſeveral Teſtimonies; but of any ſcanda-
'lous or ſeditious Miſdemeanours of theirs, that
'might give his Majeſty good Cauſe to ſuppoſe his
'own Perſon, or thoſe of his Royal Conſort, or
'Children, to be in apparent Danger, we have had
'no proof ever offered to either Houſe; and if there
'had been any Complaint of that kind, it is no
'doubt the Houſes would have been as forward to
'join in an Order for the ſuppreſſing ſuch Tumults,

1642. ‘ as they were not long before upon another Occa-
‘ ſion, when they made an Order to that Purpoſe.
‘ Whereas thoſe Soldiers and Officers which commit-
‘ ted that Violence upon ſo many of the Citizens at
‘ *Whitehall*, were cheriſhed and foſtered in his Majeſ-
‘ ty's Houſe: And when not long after the Com-
‘ mon-Council of *London* preſented a Petition to his
‘ Majeſty for Reparation of thoſe Injuries; his Ma-
‘ jeſty's Anſwer was (without hearing the Proof of
‘ the Complainants) That if any Citizen were
‘ wounded or ill-treated, his Majeſty was confident-
‘ ly aſſured, that it happened by their own evil and
‘ corrupt Demeanours.

‘ We hope it cannot be thought contrary to the
‘ Duty and Wiſdom of a Parliament, if many con-
‘ curring, and frequently reiterated and renewed Ad-
‘ vertiſements from *Rome*, *Venice*, *Paris*, and other
‘ Parts; if the Sollicitations of the Pope's *Nuncio*,
‘ and our own diſcontented Fugitives, do make us
‘ jealous and watchful for the Safety of the State.
‘ And we have been very careful to make our Ex-
‘ preſſions thereof ſo eaſy and ſo Plain to the Capa-
‘ city and Underſtanding of the People, that nothing
‘ might juſtly ſtick with them, with Reflection up-
‘ on the Perſon of his Majeſty. Wherein we appeal
‘ to the Judgment of any indifferent Perſon, who
‘ ſhall read and peruſe our own Words. We muſt
‘ maintain the Grounds of our Fears to be of that
‘ Moment, that we cannot diſcharge the Truſt and
‘ Duty which lies upon us, unleſs we do apply our
‘ ſelves to the uſe of thoſe Means which the Laws
‘ hath enabled us in Caſes of this Nature, for the ne-
‘ ceſſary Defence of the Kingdom; and as his Ma-
‘ jeſty doth graciouſly declare, The Law ſhall be the
‘ Meaſure of his Power; ſo do we moſt heartily pro-
‘ feſs, that we ſhall always make it the Rule of our
‘ Obedience.

Print

1641.

Prudent Omiſſions in the King's Anſwer.

'The next Point of our Declaration was with 'much Caution artificially paſſed over by him who 'drew his Majeſty's Anſwer, it being indeed the 'Foundation of all our Miſery, and his Majeſty's 'Trouble, that he is pleaſed to hear general Taxes 'upon his Parliament, without any particular Charge 'to which they may give Satisfaction, and that he 'hath often conceived Diſpleaſure againſt particular 'Perſons upon Miſinformation; and although thoſe 'Informations have been clearly proved to be falſe, 'yet he would never bring the Accuſers to queſtion, 'which layeth an Impoſſibility upon honeſt Men of 'clearing themſelves, and gives Encouragement unto 'falſe and unworthy Perſons to trouble with untrue 'and groundleſs Informations, Three Particulars we 'mentioned in our Declaration, which the Penner of 'that Anſwer had good Cauſe to omit; the Words 'ſuppoſed to be ſpoken at *Kenſington*, the pretended 'Articles againſt the Queen, and the groundleſs Ac-'cuſation of the ſix Members of Parliament, there 'being nothing to be ſaid in Defence or Denial of 'them.

'Concerning his Majeſty's Deſire to join with 'his Parliament, and with his faithful Subjects, in 'Defence of Religion, and Publick Good of the 'Kingdom; we doubt not but he will do it fully, 'when evil Counſellors ſhall be removed from about 'him, and untill that be, as we have ſhowed before 'of Words, ſo muſt we alſo ſay of Laws, that they 'cannot ſecure us; Witneſs the *Petition of Right*, 'which was followed with ſuch an Inundation of il-'legal Taxes, that we had juſt Cauſe to think that 'the Payment of Eight Hundred and Twenty Thou-'ſand Pounds was an eaſy Burthen to the Com-'monwealth, in exchange of them; and we cannot 'but juſtly think, that if there be a Continuance of 'ſuch ill Counſellors, and Favour to them, they 'will by ſome wicked Deviſe or other, make the

1642. ‘ Bill for the Triennial Parliament, and thoſe other ‘ excellent Laws mentioned in his Majeſty's Declara- ‘ tion, of leſs value than Words.

‘ That excellent Bill for the Continuance of this ‘ Parliament was ſo neceſſary, that without it, we ‘ could not have raiſed ſo great Sums of Money for ‘ the Service of his Majeſty and the Commonwealth ‘ as we have done, and without which the Ruin and ‘ Deſtruction of the Kingdom muſt have followed. ‘ And we are reſolved, the gracious Favour of his ‘ Majeſty expreſſed in that Bill, and the Advantage ‘ and Security which thereby we have from being diſ- ‘ ſolved, ſhall not encourage us to do any Thing ‘ which otherwiſe had not been fit to have been done. ‘ And we are ready to make it good before all the ‘ World, that although his Majeſty hath paſſed ma- ‘ ny Bills very advantageous for the Subject, yet ‘ in none of them have we bereaved his Majeſty of ‘ any juſt, neceſſary, or profitable Prerogative of ‘ the Crown. We do ſo earneſtly deſire his Majeſ- ‘ ty's Return to *London*, that upon it we conceive, ‘ depends the very Safety and Being of both King- ‘ doms: And therefore muſt proteſt, that as for ‘ the Time paſt, neither the Government of *London* ‘ nor any Laws of the Land, have loſt their Life ‘ and Force for his Security; ſo for the future, we ‘ ſhall be ready to do or ſay, any Thing that may ‘ ſtand with the Duty or Honour of a Parliament, ‘ which may raiſe a mutual Confidence betwixt his ‘ Majeſty and us, as we do wiſh, and as the Affairs ‘ of the Kingdom do require.

‘ Thus far the Anſwer to that which is called ‘ *His Majeſty's Declaration*, hath led us. Now we ‘ come to that which is called *His Majeſty's Anſwer* ‘ *to the Petition of both Houſes, preſented to him at* York ‘ *the 26th of* March 1642. In the beginning where- ‘ of his Majeſty wiſheth that our Privileges on all ‘ Parts were ſo ſtated, that this way of Correſpon- ‘ dency might be preſerved with that Fredom which ‘ hath been uſed of old. We know nothing intro-

‘ duced

'duced by us that gives any Impediment hereunto; 1642.
'neither have we affirmed our Privileges to be bro-
'ken, when his Majeſty denies us any Thing, or
'gives us a Reaſon why he cannot grant it, or that
'thoſe who adviſed ſuch Denial, were Enemies to
'the Peace of the Kingdom, and Favourers of the
'*Iriſh* Rebellion, in which Aſperſion, that is turned
'into a general Aſſertion, which in our Votes is ap-
'plied to a particular Caſe; wherefore we muſt
'maintain our Votes, that thoſe who adviſed his
'Majeſty to contradict that which both Houſes in the
'Queſtion concerning the *Militia*, had declared to be
'Law and Command, it ſhould not be obeyed, is a
'high Breach of Privilege; and that thoſe who ad-
'viſed his Majeſty to abſent himſelf from his Parlia-
'ment, are Enemies to the Peace of this Kingdom,
'and juſtly to be ſuſpected to be Favourers of the
'Rebellion in *Ireland*. The Reaſons of both are evi-
'dent, becauſe in the firſt there is as great a Dero-
'gation from the Truſt and Authority of Parlia-
'ment; and in the ſecond, as much Advantage to
'the Proceedings and Hopes of the Rebels as may
'be: And we hold it a very cauſeleſs Imputation
'upon the Parliament, that we have herein any way
'impeached, much leſs taken away the Freedom of
'his Majeſty's Vote, which doth not import a Li-
'berty for his Majeſty to deny any Thing, how ne-
'ceſſary ſoever, for the Preſervation of the King-
'dom, much leſs a Licence to evil Counſellors, to
'adviſe any Thing, though never ſo deſtructive to
'his Majeſty and his People (2). By the Meſſage of
'the 20th of *January*, his Majeſty did propound to
'both Houſes of Parliament, that they would with
'all ſpeed fall into a ſerious Conſideration of all
'thoſe Particulars, which they thought neceſſary as

REM. (2). *I do not think it was ever decided to what Acts the King may, or may not, deny his Aſſent. So there ariſes an inexhauſtible ſource of Diſputes, when the King and Parliament do not agree.*

1641. 'well for the upholding and maintaining his Majesty's just and regal Authority, and for the settling the Revenue, as for the present and future establishing our Privileges. The free and quiet enjoying our Estates, the Liberties of our Persons, the Security of the true Religion professed in the Church of *England*, and the settling of Ceremonies in such a manner as may take away all just Offence, and digest it into one entire Body.

'To that Point of upholding and maintaining his Royal Authority, we say nothing hath been done to the Prejudice of it, that should require any new Provision: To the other of settling of the Revenue, the Parliament hath no ways abridged or disordered his just Revenue; but it is true that much waste and Confusion of his Majesty's Estate hath been made by those evil and unfaithful Ministers, whom he hath employed in the Management of it, whereby his own ordinary Expences would have been disappointed, and the Safety of the Kingdom more endangered, if the Parliament had not in some Measure provided for his Houshold, and for some of the Forts, more than they were bound to do; and they are still willing to settle such a Revenue upon his Majesty, as may make him live Royally, Plentifully, and Safely; but they cannot in Wisdom and Fidelity to the Common-wealth do this, till he shall chuse such Counsellors and Officers as may order and dispose it to the Publick Good, and not apply it to the Ruin and Destruction of his People, as heretofore it hath been. But this and the other Matters concerning our selves, being Works of great Importance, and full of Intricacy, will require so long a Time of Deliberation, that the Kingdom might be ruined before we should effect them. Wherefore we thought it necessary, first to be Suitors to his Majesty, so to order the *Militia*, that the Kingdom being secured, we might with more Ease and Safety apply our selves to debate of that Message wherein we have been interrupted

'rupted by his Majeſty's Denial of the Ordinance 1642.
'concerning the ſame, becauſe it would have been
'in vain for us to labour in other Things, and in
'the mean Time to leave our ſelves naked to the
'Malice of ſo many Enemies both at home and a-
'broad; yet we have not been altogether negligent
'of thoſe Things which his Majeſty is pleaſed to
'propound in that Meſſage: We have agreed upon
'a Book of Rates in a larger Proportion than hath
'been granted to any of his Majeſty's Predeceſſors,
'which is a conſiderable Support of his Majeſty's
'Publick Charge; and have likewiſe prepared divers
'Propoſitions and *Bills* for Preſervation of our Re-
'ligion and Liberties, which we intend ſhortly to
'preſent to his Majeſty, and to do whatſoever is fit
'for us to make up this unpleaſant Breach betwixt
'his Majeſty and his Parliament.

'Whereas divers Exceptions are here taken con-
'cerning the *Militia*; firſt, That his Majeſty never
'denyed the Thing, but accepted the Perſons (ex-
'cept for Corporations) only that he denyed the
'way. To which we anſwer, That that Exception
'takes of *London*, and all other great Towns and
'Cities, which makes a great Part of the Kingdom;
'and for the way of Ordinance it is ancient, more
'ſpeedy, more eaſily alterable, and in all theſe and
'other Reſpects, more proper and more applicable
'to the preſent Occaſion, than a Bill which his Ma-
'jeſty calls the only good old way of impoſing upon
'the Subjects. It ſhould ſeem that neither his Majeſty's
'Royal Predeceſſors, nor our Anceſtors have hereto-
'fore been of that Opinion; 37 *Ed.* 3. we find this
'Record, *The Chancellor made Declaration of the Chal-*
'*lenge of the Parliament; the King deſires to know the*
'*Griefs of his Subjects, and to redreſs Enormities. The*
'*laſt Day of the Parliament the King demanded of the*
'*whole Eſtates, Whether they would have ſuch Things*
'*as they agreed on, by way of Ordinance or Statute;*
'*who anſwered, By way of Ordinance, for that they*
'*might amend the ſame at their Pleaſure, and ſo it was.*

1642. 'But his Majesty objects further, that there is 'somewhat in the Preface to which he could not 'consent with Justice to his Honour and Innocence, 'and that thereby he is excluded from any Power in 'the disposing of it. These Objections may seem 'somewhat, but indeed will appear nothing, when it 'shall be considered, that nothing in the Preamble 'lays any Charge upon his Majesty, or in the Body 'of the Ordinance, that excludes his Royal Autho-'rity in the disposing or execution of it: But only 'it is provided, That it should be signified by both 'Houses of Parliament, as that Channel through 'which it will be best derived, and most certainly to 'those Ends for which it is intended, and let all the 'World judge, whether we have not Reason to insist 'upon it, that the Strength of the Kingdom should 'rather be ordered according to the Direction or Ad-'vice of the great Council of the Land, equally in-'trusted by the King, and by the Kingdom, than 'that the Safety of the King, Parliament, and King-'dom, should be left at the Devotion of a few un-'known Counsellors, many of them not intrusted 'at all by the King in any Publick way, not at all 'confided in by the Kingdom.

'We wish the Danger were not imminent, or not 'still continuing, but cannot conceive that the long 'Time spent in this Debate is Evidence sufficient that 'there was no such Necessity or Danger, but a *Bill* 'might easily have been prepared; for when many 'Causes do concur to the Danger of a State, the 'Interruption of any one may hinder the Execution 'of all the rest, and yet the Design be still kept on 'foot for better Opportunities. Who knows whe-'ther the ill Success of the Rebels in *Ireland* had not 'hindered the Insurrections of the Papists here? 'Whether the Preservation of the six Members of 'the Parliament falsely accused, hath not prevented 'that Plot of the breaking the Neck of the Parlia-'ment, of which we were informed from *France*, not

'long

'long before they were accuſed? Yet ſince his Ma- 1642.
'jeſty hath been pleaſed to expreſs his Pleaſure ra-
'ther for a Bill than an Ordinance, and that he ſent
'in one for that Purpoſe, we readily entertained it,
'and with ſome ſmall and neceſſary Alterations,
'ſpeedily paſſed the ſame: But contrary to the
'Cuſtom of Parliament, and our Expectations
'grounded upon his Majeſty's own Invitation of us
'to that way, and the other Reaſons manifeſted in
'our Declaration concerning the *Militia* of the 5th
'of *May*, inſtead of his Royal Aſſent, we met with
'an abſolute Refuſal.

'If the Matter of theſe our Votes of the 15th
'and 16th of *March*, be according to Law, we
'hope his Majeſty will allow the Subjects to be
'bound by them, becauſe he hath ſaid, he will
'make the Law the Rule of his Power; and if the
'Queſtion be, Whether that be Law which the
'Lords and Commons have once declared to us ſo,
'who ſhall be the Judge? Not his Majeſty; for
'the King judgeth not of Matters of Law, but by
'his Courts; and his Courts, though ſitting by his
'Authority, expect not his Aſſent in Matters of
'Law: Nor any other Courts, for they cannot
'judge in that Caſe, becauſe they are inferiour; no
'Appeal lying to them from Parliament, the Judg-
'ment whereof is, in the Eye of the Law, the King's
'Judgment in his higheſt Court; though the King
'in his Perſon be neither preſent nor aſſenting there-
'unto (3).

REM. (3). *I obſerved elſewhere, the Defect of this Reaſoning, which is a mere Fallacy, built upon the equivocal Word* Parliament. *For under colour that in a certain Senſe the two Houſes alone are called* the Parliament, *they aſſume to themſelves here the Rights belonging ſolely to the Parliament compoſed of* King, Lords, *and* Commons.

The

1642. 'The Votes at which his Majesty takes Exceptions, are these:

'I. *That the King's Absence so far remote from the Parliament, is not only an Obstruction, but may be a Destruction to the Affairs of* Ireland.

'II. *That when the Lords and Commons shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Privilege of Parliament.*

'III. *That those Persons that advised his Majesty to absent himself from the Parliament, are Enemies to the Peace of the Kingdom, and justly may be suspected to be Favourers of the Rebellion in* Ireland.

'*That the Kingdom hath been of late, and still is in so imminent Danger, both from Enemies abroad, and a Popish and discontented Party at home, that there is an urgent and inevitable Necessity of putting his Majesty's Subjects into a Posture of Defence, for the Safeguard both of his Majesty and his People.*

'*That the Lords and Commons fully apprehending this Danger, and being sensible of their own Duty, to provide a suitable Prevention, have in several Petitions addressed themselves to his Majesty, for the ordering and disposing the Militia of the Kingdom, in such a way as was agreed upon by the Wisdom of both Houses, to be most effectual and proper for the present Exigents of the Kingdom, yet could not obtain it; but his Majesty did several Times refuse to give his Royal Assent thereunto.*

'*That in this Case of extreme Danger, and his Majesty's Refusal, the Ordinance of Parliament agreed upon by both Houses for the Militia, doth oblige the People, and ought to be obeyed by the fundamental Laws of this Kingdom.*

'By all which it doth appear, that there is no colour that by this Tax we go about to introduce a new Law, much less to exercise an arbitrary

'Power,

'Power, but indeed to prevent it; for this Law is 1642.
'as old as the Kingdom, that the Kingdom must not
'be without a Means to preserve itself; which that
'it may be done without Confusion, this Nation
'hath intrusted certain Hands with a Power to pro-
'vide, in an orderly and regular way, for the Good
'and Safety of the Whole; which Power, by the
'Constitution of this Kingdom, is in his Majesty and
'his Parliament together: Yet since the Prince be-
'ing but one Person, is more subject to Accidents of
'Nature and Chance, whereby the Commonwealth
'may be deprived of the Fruits of that Trust which
'was in part reposed in him; in Cases of such Neces-
'sity, that the Kingdom may not be inforced pre-
'sently to return to its first Principles, and every Man
'left to do what is Right in his own Eyes, without
'either Guide or Rule: The Wisdom of this State
'hath intrusted the Houses of Parliament with a
'Power to supply what shall be wanting on the Part
'of the Prince; as is evident by the constant Custom
'and Practice thereof in Cases of Nonage, natural
'Disability and Captivity; and the like Reason doth
'and must hold for the Exercise of the same Power
'in such Cases, where the Royal Trust cannot be,
'or is not discharged, and that the Kingdom runs an
'evident and imminent Danger thereby; which Dan-
'ger having been declared by the Lords and Com-
'mons in Parliament, there needs not the Authority
'of any Person or Court to affirm; nor is it in the
'Power of any Person or Court to revoke that Judg-
'ment. (4)

'We

Rem. (4). *All these Reasonings of both Houses are founded upon the Supposition of an imminent Danger. When they come to give Proofs of the Reality of this Danger, they alledge only Suspicions, whereof they explain the Causes. After which, they affirm the Danger to be real, because they have declared it so, and because there*

is

1642. 'We know that the King hath Ways enough in 'his ordinary Courts of Justice to punish such seditious Pamphlets and Sermons, as are any way prejudicial to his Rights, Honour and Authority; and 'if any of them have been so insolently violated and 'villified, his Majesty's own Council and Officers 'have been to blame, and not the Parliament: We 'never did restrain any Proccdings of this kind in 'other Courts, nor refuse any fit Complaint to us: 'The *Protestation Protested* was referred by the Commons House to a Committee, and the Author being 'not produced, the Printer was committed to Prison, 'and the Book voted by that Committee to be burnt; 'but Sir *Edward Deering*, who was to make that 'Report of the Votes of that Committee, neglected 'to make it. The Apprentices Protestation was never complained of; but the other seditious Pamphlet (*To your Tents, O Israel*) was once questioned, 'and the full Prosecution of it was not interrupted 'by any Fault of either House, whose forwardness to 'do his Majesty all Right therein, may plainly appear, in that a Committee of Lords and Commons 'were purposely appointed to take such Information 'as the King's Council should present, concerning 'seditious Words, Practices or Tumults, Pamphlets 'or Sermons, tending to the Derogation of his Majesty's Rights or Prerogative; and his Council 'were enjoyned by the Committee to enquire and 'present them; who several times met thereupon, 'and received this Answer and Declaration from the 'King's Council, that they knew of no such thing as 'yet.

'If his Majesty had used the Service of such a 'one in penning this Answer, who understood the 'Laws and Government of this Kingdom, he would

is no superior Authority to revoke their Judgment. But this Declaration does not make the Danger real, if it be not so indeed. It is easy therefore to perceive, by their way of Proceeding, that this Point gravelled them.

'not

'not have thought it legally in his own Power to 1642.
'deny his Parliament a Guard when they ſtood in
'need of it, ſince every ordinary Court hath it;
'neither would his Majeſty, if he had been well-in-
'formed of the Laws, have refuſed ſuch a Guard as
'they deſired, it being in the Power of inferiour
'Courts to command their own Guards; neither
'would he have impoſed upon them ſuch a Guard,
'under a Commander which they could not confide
'in; which is clearly againſt the Privileges of Par-
'liament, and of which they found very dangerous
'Effects, and therefore deſired to have it diſcharged;
'but ſuch a Guard, and ſo commanded, as the
'Houſes of Parliament deſired, they could never ob-
'tain of his Majeſty; and the placing of a Guard
'about them contrary to their Deſire, was not to
'grant a Guard to them, but in effect to ſet one
'upon them. All which conſidered; we believe in
'the Judgments of any indifferent Perſons it will not
'be thought ſtrange if there were a more than or-
'dinary Reſort of People at *Weſtminſter*, of ſuch as
'came willingly of their own accord to be Witneſſes
'and Helpers of the Safety of them whom all his
'Majeſty's good Subjects are bound to defend from
'Violence and Danger; or that ſuch a Concourſe as
'this, they carrying themſelves quietly and peacea-
'bly (as they did) ought, in his Majeſty's Appre-
'henſion, or can, in the Interpretation of the Law,
'be held tumultuary and ſeditious.

'When his Majeſty, in that Queſtion of Violation
'of the Laws, had expreſſed the Obſervation of them
'indefinitely, without any Limitation of Time, al-
'though we never ſaid or thought any thing that
'might look like a Reproach to his Majeſty, yet
'we had reaſon to remember that it had been other-
'wiſe, leſt we ſhould ſeem to deſert our former Com-
'plaints and Proceedings thereupon, as his Majeſty
'doth ſeem but little to like or approve of them;
'for although he doth acknowledge here that great
'Miſchief that grew by that Arbitrary Power then

'com-

1642. ‘ complained of, yet ſuch are continually preferred ‘ and countenanced as were Friends or Favourers, or ‘ related unto the chief Authors and Actors of that ‘ Arbitrary Power, and of thoſe falſe Colours, ‘ Suggeſtions of imminent Danger and Neceſſity, ‘ whereby they did make it plauſible unto his Ma- ‘ jeſty. And on the other Side, ſuch as did appear a- ‘ gainſt them are daily diſcountenanced and diſgraced; ‘ which whilſt it ſhall be ſo, we have no reaſon to ‘ judge the Diſeaſe to be yet killed and dead at Root, ‘ and therefore no reaſon to bury it in Oblivion. And ‘ whilſt we behold the Spawns of theſe miſchievous ‘ Principles cheriſhed and foſtered in that new Gene- ‘ ration of Counſellors, Friends and Abetters of the ‘ former, or at leaſt concurring with them in their ‘ Malignancy againſt the Proceedings of this Par- ‘ liament, we cannot think our ſelves ſecure from the ‘ like or a worſe Danger.

‘ And here the Penner of this Anſwer beſtows an ‘ Admonition upon the Parliament, bidding us take ‘ heed we fall not upon the ſame Error, upon the ‘ ſame Suggeſtions. But he might have well ſpared ‘ this, till he could have ſhewed wherein we had ex- ‘ erciſed any Power otherwiſe than by the Rule of ‘ the Law, or could have found a more authentick ‘ or higher Judge in Matters of Law, than the High ‘ Court of Parliament.

‘ It is declared in his Majeſty's Name, That he is ‘ reſolved to keep the Rule himſelf, and to his ‘ Power to require the ſame of all others. We muſt ‘ needs acknowledge, that ſuch a Reſolution is like ‘ to bring much Happineſs and Bleſſing to his Ma- ‘ jeſty, and all his Kingdom; yet with Humility we ‘ muſt confeſs, we have not the Fruit of it, in that ‘ Caſe of my Lord *Kimbolton*, and the other Five ‘ Members, accuſed contrary to Law, both Common ‘ Law and the Statute Law, and yet remain unſatiſ- ‘ fied; which Caſe was remembred in our Declara- ‘ tion, as a ſtrange and unheard of Violation of our ‘ Laws. But the Penner of this Anſwer thought fit

‘ to

1642.

'to pass it over, hoping that many would read his 'Majesty's Answer, (which hath been so carefully 'dispersed) which would not read our Declaration.

'Whereas, after our ample Thanks and Acknowledgment of his Majesty's Favour in passing many 'good Bills, we said, That Truth and Necessity inforced us to add this, that in or about the time of 'passing those Bills, some Design or other hath been 'on Foot, which if it had taken Effect, would not 'only have deprived us of the Fruit of those Bills, 'but would have reduced us to a worse Condition of 'Confusion than that wherein the Parliament found 'us. It is now told us, That the King must be most 'sensible of what we cast upon him, for requital 'for those good Bills; whereas out of our usual 'Tenderness of his Majesty's Honour, we did not 'mention him at all: But so injurious are those 'wicked Counsellors to the Name and Honour of 'their Master and Sovereign, that as much as they 'can, they lay their own Infamy and Guilt upon his 'Shoulders.

'Here God also is call'd to witness his Majesty's upright Intentions at the passing those Laws; this we 'will not question, neither did we give any Occasion 'for such a solemn Asseveration as this is. The Devil 'is likewise desired to prove there was any Design 'with his Majesty's Knowledge or Privity. This 'might well have been spared, for we spoke nothing 'of his Majesty: But since we are so far taxed as 'to have it affirmed, that we laid a notorious and 'false Imputation upon his Majesty, we have thought 'it necessary, for the just Defence of our own Innocency, to cause the Oaths and Examinations 'which had been taken concerning the Design to be 'published in a full Narration, for the Satisfaction 'of all his Majesty's Subjects; out of which we 'shall now offer some few Particulars, whereby the 'World may judge whether we could have proceeded 'with more Tenderness towards his Majesty than 'we have done. Mr. *Goring* confesseth, that the

1642. ‘ King firſt asked him, whether he was engaged in ‘ any *Cabal* concerning the Army? And commanded ‘ him to join with Mr. *Percy* and Mr. *Jermin*, and ‘ ſome others, whom they ſhould find within at Mr. ‘ *Percy*'s Chamber; where they took the Oath of ‘ Secrecy, and then debated of a Deſign propounded ‘ by Mr. *Jermin*, to ſecure the *Tower*, and to con- ‘ ſider of bringing the Army to *London*, and Cap- ‘ tain *Legg* confeſſed, he had received the Draught of ‘ a Petition in the King's Preſence; and his Majeſty ‘ acknowledged it was from his own Hand: And ‘ whoſoever reads the Sum of that Petition, as it was ‘ proved by the Teſtimony of Sir *Jacob Aſtly*, Sir ‘ *John Coniers*, and Captain *Legg*, will eaſily perceive ‘ ſome Points in it, apt to beget in them ſome Diſ- ‘ content againſt the Parliament. And can any Man ‘ believe there was no Deſign in the Accuſation of ‘ the Lord *Kimbolton*, and the reſt, in which his Ma- ‘ jeſty doth avow himſelf to be both a Commander ‘ and Actor? Theſe things being ſo, it will eaſily ‘ appear to be as much againſt the Rule of Prudence, ‘ that the Penner of this Anſwer ſhould entangle his ‘ Majeſty in this unneceſſary Apology; as it is a- ‘ gainſt the Rules of Juſtice, that any Reparation ‘ from us ſhould be either yielded or demanded.

‘ It is profeſſed in his Majeſty's Name, That he ‘ is truly ſenſible of the Burdens of his People, ‘ which makes us hope that he will take that courſe ‘ which will be moſt effectual to eaſe them of theſe ‘ Burdens; that is, to join with his Parliament in ‘ preſerving the Peace of the Kingdom; which by ‘ his Abſence from them hath been much endangered, ‘ and which by hindering the voluntary Adventurers ‘ for the recovery of *Ireland*, and diſabling the Sub- ‘ jects to diſcharge the great Tax laid upon them, is ‘ like to make the War much more heavy to the ‘ Kingdom. And for his Majeſty's Wants, the Par- ‘ liament hath been no Cauſe of them; we have not ‘ diminiſhed his juſt Revenue, but have much eaſed ‘ his publick Charge, and ſomewhat his private.

'And we ſhall be ready in a parliamentary Way to 1642.
'ſettle his Revenue in ſuch an honourable Proportion,
'as may be anſwerable to both, when he ſhall put
'himſelf into ſuch a Poſture of Government, that
'his Subjects may be ſecure to enjoy his juſt Protec-
'tion for their Religion, Laws and Liberties.

'We never refuſed his Majeſty's gracious Offer of
'a free and general Pardon, only we ſaid it could be
'no Security to our preſent Fears and Jealouſies:
'And we gave a Reaſon for it, that thoſe Fears did
'not ariſe out of any Guilt of our own Actions,
'but out of the evil Deſigns and Attempts of others;
'and we leave it to the World to judge, whether we
'herein deſerve ſo heavy a Tax and Exclamation,
'(*That it was a ſtrange World, when Princes proffered*
'*Favours are counted Reproaches*; ſuch are the Words
'of his Majeſty's Anſwer) who do eſteem that Offer
'as an Act of princely Grace and Bounty, which
'ſince this Parliament began, we have humbly de-
'ſired we might obtain, and do ſtill hold it neceſſary
'and advantageous for the Generality of the Sub-
'jects, upon whom theſe Taxes and Subſidies lie
'heavieſt; but we ſee, upon every occaſion, how
'unhappy we are in his Majeſty's Miſapprehenſions
'of our Words and Actions.

'We are fully of the King's Mind, as it is here
'declared, That he may reſt ſo ſecure of the Af-
'fections of his Subjects, that he ſhould not ſtand in
'need of foreign Force to preſerve him from Op-
'preſſion, and are confident that he ſhall never want
'an abundant Evidence of the good Wiſhes and
'Aſſiſtance of his whole Kingdom, eſpecially if he
'ſhall be pleaſed to hold to that gracious Reſolution
'of building upon that ſure Foundation, the Law
'of the Land: But why his Majeſty ſhould take it
'ill, that we having received Information ſo deeply
'concerning the Safety of the Kingdom, ſhould
'think them fit to be conſidered of, we cannot con-
'ceive; for although the Name of the Perſon was
'unknown, yet that which was more ſubſtantial to

1942. ‘ the Probability of the Report was known (that is,) ‘ that he was Servant to the Lord *Digby*, who in his ‘ presumptuous Letter to the Queen's Majesty, and ‘ other Letters to Sir *Lewis Dives*, had intimated ‘ some wicked Proposition suitable to that Information; but that this should require Reparation, we ‘ hold it as far from Justice as it is from Truth, that ‘ we have mixed any Malice with these Rumours, ‘ thereby to feed the Fears and Jealousies of the ‘ People.

‘ It is affirmed his Majesty is driven (but not by ‘ us yet) from us; perchance hereafter if there be ‘ Opportunity of gaining more Credit, there will ‘ not be wanting who will suggest unto his Majesty, ‘ that it is done by us. And if his Majesty were driven from us, we hope it was not by his own Fears, ‘ but by the Fears of the Lord *Digby*, and his Retinue of *Cavaliers* (5); and that no Fears of any ‘ tumultuary Violence but of their own just Punishment for their manifold Insolence and intended Violence against the Parliament. And this is expressed ‘ by the Lord *Digby* himself, when he told those *Cavaliers*, that the principal Cause of his Majesty's ‘ going out of Town, was to save them from being ‘ trampled in the Dirt; but of his Majesty's Person ‘ there was no Cause of Fear in the greatest Heat of ‘ the People's Indignation, after the Accusation, and ‘ his Majesty's violent coming to the House; there

REM. (5). *By the Lord* Digby's Cavaliers *were meant the Officers and Gentlemen who assembled at* Whitehal, *to guard the King, at the Head of whom was the Lord* Digby. *I do not believe that at the Time when this* Declaration *was published, the Term* Cavaliers *was commonly made use of to denote the Royal Party. Perhaps this Word, used here by the Parliament, was the Occasion of calling those who sided with the King* Cavaliers, *as those who took the Parliamen's Part were named* Round-Heads. *These two Names were afterwards changed into those of* Tories *and* Whiggs.

‘ was

'was no ſhew of any evil Intention againſt his Regal 1642.
'Perſon, of which there can be no better Evidence
'than this, that he came the next Day without a
'Guard into the City, where he heard nothing but
'Prayers and Petitions, no Threatnings nor irreve-
'rent Speeches, that might give him any juſt Occa-
'ſion of Fear, that we heard of, or that his Majeſ-
'ty expreſt: For he ſtaid near a Week after at
'*Whitehall* in a ſecure and peaceable Condition,
'whereby we are induced to believe that there is no
'Difficulty or Doubt at all, but his Majeſty's Reſi-
'dence near *London*, may be as ſafe as in any part of
'the Kingdom. We are moſt aſſured of the faith-
'fulneſs of the City and Suburbs; and for our ſelves,
'we ſhall quicken the Vigour of the Laws, the In-
'duſtry of the Magiſtrates, the Authority of the
'Parliament for the ſuppreſſing of all tumultuary
'Inſolences whatſoever, and for the vindicating of
'his Honour from all inſupportable and inſolent
'Scandals, if any ſuch ſhall be found to be raiſed
'upon him, as are mentioned in this Anſwer; and
'therefore we think it altogether unneceſſary, and
'exceeding inconvenient to adjourn the Parliament
'to any other Place.

'Where the Deſire of a good Underſtanding be-
'twixt the King and the Parliament is on both Parts
'ſo earneſt, as is here profeſſed by his Majeſty to be
'in him, and we have ſufficiently teſtified to be in
'our ſelves, it ſeems ſtrange we ſhould be ſo long
'aſunder; it can be nothing elſe but evil and mali-
'cious Counſel miſrepreſenting our Carriage to him,
'and indiſpoſing his Favour to us: And as it ſhall
'be far from us to take any Advantage of his Ma-
'jeſty's ſuppoſed Straits, as to deſire, much leſs to
'compel him to that which his Honour or Intereſt
'may render unpleaſant and grievous to him; ſo we
'hope that his Majeſty will not make his own Un-
'derſtanding or Reaſon the Rule of his Government,
'but will ſuffer himſelf to be aſſiſted with a wiſe and
'prudent Council, that may deal faithfully betwixt

1642. ‘ him and his People; and that he will remember ‘ that his Reſolutions do concern Kingdoms, and ‘ therefore ought not to be moulded by his own, ‘ much leſs by any other private Perſon, which is ‘ not alike proportionable to ſo great a Truſt. And ‘ therefore we ſtill deſire and hope that his Majeſty ‘ will not be guided by his own Underſtanding, or ‘ think thoſe Courſes, Straits, and Neceſſities, to ‘ which he ſhall be adviſed by the Wiſdom of both ‘ Houſes of Parliament, which are the Eyes in this ‘ Politick Body, whereby his Majeſty is by the Con- ‘ ſtitution of this Kingdom to diſcern the Differences ‘ of thoſe Things which concern the Publick Peace ‘ and Safety thereof.

‘ We have given his Majeſty no cauſe to ſay, that ‘ we do meanly value the diſcharge of his publick ‘ Duty whatſoever Acts of Grace or Juſtice have ‘ been done, they proceed from his Majeſty by the ‘ Advice and Counſel of his Parliament; yet we ‘ have, and ſhall always anſwer them with conſtant ‘ Gratitude, Obedience and Affection: And al- ‘ though many Things have been done ſince this ‘ Parliament of another Nature, yet we ſhall not ‘ ceaſe to deſire the continued Protection of Almigh- ‘ ty God upon his Majeſty; and moſt humbly peti- ‘ tion him to caſt from him all thoſe evil and contra- ‘ ry Counſels which have in many Particulars former- ‘ ly mentioned, much detracted from the Honour of ‘ his Government, the Happineſs of his own Eſtate, ‘ and Proſperity of his People.

‘ And having paſſed ſo many Dangers from a- ‘ broad, ſo many Conſpiracies at Home, and brought ‘ on the Publick Work ſo far, through the greateſt ‘ Difficulties that ever ſtood in Oppoſition to a Par- ‘ liament, to ſuch a Degree of Succeſs, that no- ‘ thing ſeems to be left in our way able to hinder the ‘ full Accompliſhment of our Deſires and Endeavours ‘ of the Publick Good; unleſs God in his Juſtice do ‘ ſend ſuch a grievous Curſe upon us, as to turn the ‘ Strength of the Kingdom againſt it ſelf, and to ef-

‘ fect

'fect that by their own Folly and Credulity, which 1642.
'the Power and Subtilty of their and our Enemies
'could not attain, that is, to divide the People from
'the Parliament, and to make them ſerviceable to
'the Ends and Aims of thoſe who would deſtroy
'them. Therefore we deſire the Kingdom to take
'notice of this laſt and moſt deſperate and miſchie-
'vous Plot of the malignant Party, that is acted and
'proſecuted in many Parts of the Kingdom, under
'plauſible Notions of ſtirring them up to a Care of
'preſerving the King's Prerogative, maintaining the
'Diſcipline of the Church, upholding and continu-
'ing the Reverence and Solemnity of God's Service,
'and encouraging of Learning. And upon theſe
'Grounds divers mutinous Petitions have been fra-
'med in *London*, *Kent*, and other Counties, and ſun-
'dry of his Majeſty's Subjects have been ſollicited
'to declare themſelves for the King againſt the Par-
'liament: And many falſe and foul Aſperſions have
'been caſt upon our Proceedings, as if we had been not
'only negligent, but averſe in theſe Points: Where-
'as we deſire nothing more than to maintain the Pu-
'rity and Power of Religion, and to honour the
'King in all his juſt Prerogatives; and for Encou-
'ragement and Advancement of Piety and Learn-
'ing, we have very earneſtly endeavoured, and ſtill
'do to the utmoſt of our Power, that all Pariſhes
'may have learned, pious, and ſufficient Preachers,
'and all ſuch Preachers competent Livings (6).

REM. (6). *The King complained that the* Church of England *was going to be deſtroyed to make room for* Presbyterianiſm. *The Parliament durſt not ſay the contrary for fear of diſcouraging the* Presbyterians, *nor own it, becauſe it was not yet Time to diſcover it openly. They endeavoured therefore to get off by uſing general Terms, which ſignify nothing, that is, they have reſolved to place in every Pariſh good Miniſters, and to provide for their Subſiſtence.*

1642. 'Many other Bills and Propoſitions are in Prepa-
'ration for the King's Profit and Honour, the Peo-
'ple's Safety and Proſperity: In the Proceedings
'whereof we are much hindered by his Majeſty's
'Abſence from the Parliament, which is altogether
'contrary to the uſe of his Predeceſſors, and the
'Privileges of Parliament, whereby our Time is
'conſumed by a multitude of unneceſſary Meſſages,
'and our Innocency wounded by cauſeleſs and ſharp
'Invectives. Yet we doubt not but we ſhall over-
'come all this at laſt, if the People ſuffer not them-
'ſelves to be deluded with falſe and ſpecious Shews,
'and ſo drawn to betray us to their own undoing,
'who have ever been willing to hazard the undoing
'of our ſelves, that they might not be betrayed by
'our Neglect of the Truſt repoſed in us: But if it
'were poſſible they ſhould prevail herein, yet we
'would not fail through God's Grace ſtill to perſiſt
'in our Duties, and to look beyond our own Lives,
'Eſtates, and Advantages, as thoſe who think no-
'thing worth the enjoying, without the Liberty, Peace,
'and Safety of the Kingdom; nor any Thing too
'good to be hazarded in diſcharge of our Conſcien-
'ces for the obtaining of it: And ſhall always re-
'poſe our ſelves upon the Protection of Almighty
'God, which we are confident ſhall never be want-
'ing to us (while we ſeek his Glory) as we have
'found it hitherto wonderfully going along with us
'in all our Proceedings.'

It was not long before the King anſwered this *Manifeſto*. He had ſtrong Reaſons to prevent betimes the Impreſſions it might make upon the Minds of the People. As a War was inevitable, the King and the Parliament were equally concerned to gain the People to their Side, and for this theſe *Papers* were intended. We have ſeen in the Parliament's *Manifeſto*, the Objections againſt the King reiterated, and we ſhall ſee in the King's, the ſame Anſwers he had before given to each of the Articles. Theſe two *Papers*

pers then may be conſidered as a Recapitulation of whatever had been alledged *Pro* and *Con* in the Diſpute between the King and the Parliament. Both flattered themſelves that their Reaſons were unanſwerable, and propoſed them with great Confidence. And it was not without Ground, ſince both Sides reaſoning upon different Principles, each might be in the Right, according to their reſpective Suppoſitions. 1642.

His MAJETTY's *Anſwer to a Book, entituled,* The DECLARATION or REMONSTRANCE of the Lords and Commons of the 19th of *May*, 1642.

'IF we could be weary of taking any Pains for the Satisfaction of our People, and to undeceive them of thoſe ſpecious miſchievous Infuſions which are daily inſtilled into them, to ſhake and corrupt their Loyalty and Affection to us and our Government, after ſo full and ample Declarations of our Self and Intentions, and ſo fair and ſatisfactory Anſwers to all ſuch Matters as have been objected to us by a Major-part preſent of both Houſes of Parliament, we might well give over this Labour of our Pen, and ſit ſtill till it ſhall pleaſe God ſo to enlighten the Affections and Underſtandings of our good Subjects on our behalf (which we doubt not but that in his good Time he will do) that they may ſee our Sufferings are their Sufferings. But ſince, inſtead of applying themſelves to the Method propoſed to us, of making ſuch ſolid particular Propoſitions as might eſtabliſh a good Underſtanding between us, or of following the Advice of our Council of *Scotland* (with whom they communicate their Affairs) in forbearing all Means that might make the Breach wider and wound deeper; Ruſh. IV. p. 704.

1642. ‘ they have chosen to pursue us with new Reproaches, ‘ or rather to continue and improve the old, by ad- ‘ ding and varying little Circumstances and Lan- ‘ guage, in Matters formerly urged by them, and fully ‘ answered by us. We prevailed with our Self upon ‘ very mature and particular Consideration of it, to ‘ answer the late printed Book, intituled, *A Declaration ‘ or Remonstrance of the Lords and Commons*, which was ‘ ordered the 19th of *May* last, to be printed and pub- ‘ lished, hoping then that they would put us to no ‘ more of this Trouble, but that that should have been ‘ the last of such a Nature they would have com- ‘ municated to our People, and that they would not, ‘ as they have done since, thought fit to assault us ‘ with a newer Declaration, indeed of a very new ‘ Nature and Learning, which must have another ‘ Answer (1). And we doubt not but that our good ‘ Subjects in a short Time will be so well instructed ‘ in the Differences and Mistakings between us, that ‘ they will plainly discern, without resigning their ‘ Reason and Understanding to our Prerogative, or ‘ the Infallibility of a now Major-part of both Hou- ‘ ses of Parliament (infected by a few malignant Spi- ‘ rits) where the Fault is (2).

‘ Though we shall with Humility and Alacrity ‘ be always forward to acknowledge the infinite ‘ Mercy and Providence of Almighty God, vouchsaf- ‘ ed so many several ways to our Self and this Nation, ‘ yet since God himself doth not allow that we should ‘ fancy and create Dangers to our Self, that we might

REMARK (1). *This was another Declaration of the second of* June, *from whence it may be inferred that this Answer of the Kings to the first was not published till after that Time.*

REM. (2). *The King begins in this Paper to represent the Resolutions of the Parliament, not as being agreeable to the Sentiments of the Nation, but as coming only from a disaffected Party which prevailed in both Houses.*

‘ manifest

'manifeſt and publiſh his Mercy in our Deliverance, 1642.
'we muſt profeſs we do not know thoſe Deliveran-
'ces mentioned in the beginning of that Declaration,
'from ſo many wicked Plots and Deſigns ſince the
'beginning of this Parliament, which if they had
'taken effect, would have brought Ruin and De-
'ſtruction on this Kingdom. We well know the
'great Labour and Skill hath been uſed to amaze
'and affright our good Subjects with Fears and Ap-
'prehenſions of Plots and Conſpiracies, the ſeveral
'Pamphlets publiſhed, and Letters ſcattered up and
'down full of ſuch ridiculous contemptible Animad-
'verſions to that purpoſe, as (though they found,
'for what end God knows, very unuſual Counte-
'nance) no ſober Man could be moved with them.
'But we muſt confeſt, we have never been able to
'inform our Self of any ſuch pernicious formed De-
'ſign againſt the Peace of this Kingdom, ſince the
'beginning of this Parliament, as is mentioned in that
'Declaration, or might be any Warrant to thoſe
'great Fears, both our Houſes of Parliament ſeem
'to be tranſported with; but we have great Cauſe
'to believe more Miſchief and Danger hath been
'raiſed and begotten to the Diſturbance of this King-
'dom, than cured or prevented by thoſe Fears and
'Jealouſies. And therefore, however the Rumour
'and Diſcourſe of Plots and Conſpiracies may have
'been neceſſary to the Deſigns of particular Men,
'they ſhall do well not to pay any falſe Devotions
'to Almighty God, who diſcerns whether our Dan-
'gers are real or pretended.

'For the bringing up the Army to *London*, as
'we have heretofore (by no other Direction than
'the Teſtimony of a good Conſcience) called God
'to Witneſs, we never had, or knew any ſuch Reſo-
'lutions; ſo that upon the View of the Depoſitions
'now publiſhed with that Declaration, it is not evi-
'dent to us, there was ever ſuch a Deſign, unleſs e-
'very looſe Diſcourſe or Argument be inſtance e-

'nough

1642. ‘ nough of such a Design (3). And it is apparent ‘ that what was said of it, was near three Months ‘ before the Discovery to both Houses of Parliament: So that if there were any Danger threatned ‘ that way, it vanished without any Resistance or ‘ Prevention, by the Wisdom, Power, or Authority of them (4).

‘ It seems the Intention of that Declaration (whatsoever other end it hath) is to answer a Declaration they received from us, in answer to that which ‘ was presented to us at *New-Market* the 9th of ‘ *March* last; and likewise to our Answer to the Petition of both the Houses, presented to us at *York*, ‘ the 26th of *March* last. But before that Declaration falls upon any Particulars of our said Declaration or Answer, it complains, That the Heads of the ‘ malignant Party have, with much Art and Industry, ‘ advised us to suffer divers unjust Scandals and Imputations upon the Parliament to be published in

REM. (3). *The King seems to vindicate himself but weakly upon this Article. His whole Answer lies in the Ambiguity of the Word* Design, *which may signify, either a bare Project, or a settled and formed Design. It is certain there was a Design or Project to bring up the Army to* London, *which the King knew of, and was proposed by* Jermyn; *but no Resolution was taken thereupon. The King denies he knew of any such Resolution, because indeed there was none taken. But he durst not deny that he was informed of the Design or Project. Wherefore, after having spoken of the Design in general, he immediately changes the Word into that of* Resolution. Charles I, *was very skilfull in such sort of Ambiguities.*

REM. (4). *The Parliament insisted chiefly upon the King's Intention, and endeavoured to prove the Fact, in order to show this Intention. So it was not a Proof of the King's having no ill Intention, that the Design of seducing the Army, and bringing it up to* London *was not pursued.*

‘ our

'our Name, whereby they might make it odious to 1642.
'the People, and by their help deſtroy it: But not
'inſtancing any one Scandal or Imputation ſo pub-
'liſhed by us, we are ſtill to ſeek for the Heads of
'the malignant Party. But our good Subjects will
'eaſily underſtand, That if we were guilty of that
'Aſperſion, we muſt not only be active in raiſing
'the Scandal, but paſſive in the Miſchief begotten
'by that Scandal, we being an eſſential Part of the
'Parliament (5): And we hope the juſt Defence of
'our Self and our Authority, and the neceſſary Vin-
'dication of our Innocence and Juſtice from the Im-
'putation laid on us by a major-part then preſent
'by either or both Houſes, ſhall no more be called
'a Scandal upon the Parliament, than the Opinion
'of ſuch a part be reputed an Act of Parliament.
'And we hope our good Subjects will not be long
'miſled by that common Expreſſion in all the De-
'clarations, wherein they uſurp the Word *Parlia-*
'*ment*, and apply it to countenance any Reſolution
'or Vote ſome few have a Mind to make, by calling
'it, *the Reſolution of Parliament*, which can never be
'without our Conſent; neither can the Vote of ei-
'ther, or both the Houſes, make a greater altera-
'tion in the Laws of the Kingdom (ſo ſolemnly made
'by the Advice of their Predeceſſors, with the Con-
'currence of us and our Anceſtors) either by com-
'manding or inhibiting any Thing (beſides the
'known Rules of the Law) that our ſingle Direction
'or Mandate can do, to which we do aſcribe the Au-
'thority (6).

'But

REM. (5). *This is only a Subtlety built upon the Ambiguity of the Word* Parliament. *In the Declaration which the King is anſwering, by the Term,* Parliament, *is meant* both Houſes, *without including the King, and here the King means both Houſes and the King together.*

REM. (6). *This Reaſon is invincible, ſuppoſing the Government in its natural State. But it could not make any*

Impreſſion

1642. 'But that Declaration informs our People, that 'the malignant Party hath drawn us into the northern 'Parts far from our Parliament: It might more 'truly and properly have said, that it hath driven, 'than drawn us hither (7). For we confess our 'Journey hither (for which we have no other reason 'to be sorry, than with reference to the Cause of it) 'was only forced upon us by the true malignant 'Party, which contrived and countenanced those 'barbarous Tumults, and other seditious Circum-'stances, of which we have so often complained, 'and hereafter shall say more, and which indeed 'threatens so much Danger to our Person, and laid 'so much Scandal upon the whole Privilege and Dig-'nity of Parliament, that we wonder it can be 'mentioned without Blushes or Indignation: But of 'that anon. But why the malignant Party should 'be charged with causing a Press to be transported 'to *York*, we cannot imagine; neither have any 'Papers or Writings issued from thence, to our 'Knowledge, but what have been extorted from us 'by such Provocations, as have not been before of-'fered to a King. And no doubt it will appear a 'most trivial and fond Exception, when all Presses 'are open to vent whatsoever they think fit to say 'to the People, (a thing unwarranted by former 'Custom) that we should not make use of all the 'lawful Means to publish our just and necessary 'Answers thereunto. As for the Authority of the 'Great-Seal, (though we do not know that it hath 'been necessary to things of this nature) the same 'shall be more frequently used hereafter, as occasion

Impression upon those who believed the King intended to establish an Arbitrary Power.

REM. (7). *The Parliament understood by the malignant Party the King's Party, and here the King gives the same Name to that of the Parliament.*

'shall

'ſhall require (8); to which we make no doubt the 1642.
'greater and better Part of our Privy-Council will
'concur, and whoſe Advice we are reſolved to fol-
'low, as far as it ſhall be agreeable to the Good and
'Welfare of the Kingdom.

'Before that Declaration vouchſafes to inſiſt on
'any Particulars, it is pleaſed to cenſure both our
'Declaration and Anſwer, to be filled with harſh
'Cenſures, and cauſeleſs Charges upon the Parlia-
'ment (ſtill miſapplying the Word *Parliament* to
'the Vote of both Houſes) concerning which they
'reſolve to give Satisfaction to the Kingdom, ſince
'they find it very difficult to ſatisfy us. If, as in
'the Uſage of the Word *Parliament*, they have left
'us out of their Thoughts; ſo by the Word *King-*
'*dom*, they intend to exclude all our People, who
'are out of their Walls, (for that's grown another
'Phraſe of the Time, the Vote of the Major-part
'of both Houſes, and ſometimes of one, is now
'called, *The Reſolution of the whole Kingdom*) we be-
'lieve it may not be hard to give Satisfaction to
'themſelves; otherwiſe we are confident (and our
'Confidence proceeds from the Uprightneſs of our
'own Conſcience) they will never be able ſo to ſever
'the Affections of us and our Kingdom, that what
'cannot be Satisfaction to the one, ſhall be to the o-
'ther. Neither will the Stile of *Humble* and *Faithful*,
'and telling us, *That they will make us a great and*
'*glorious King*, in their Petitions and Remonſtrances,
'ſo deceive our good Subjects, that they will paſs
'over the Reproaches, Threats and Menaces they
'are ſtuffed with, which ſure could not be more gently
'reprehended by us, than by ſaying, Their Ex-

REM. (8). *The Parliament's Declaration was publiſhed the* 19*th of* May, *and Three Days after the Lord-Keeper* Littleton *went privately from* London *with the Great-Seal to the King. So the King had it in his Hands when he publiſhed his Anſwer. For this reaſon he ſays, the ſame ſhall be more frequently uſed hereafter.*

'preſſions

1642. ‘ preſſions were different from the uſual Language ‘ to Princes, which that Declaration tells you we ‘ had no occaſion to ſay. But we believe, whoever ‘ looks over that Declaration preſented to us at ‘ *Newmarket*, to which ours was an Anſwer, will ‘ find the Language throughout it to be ſo unuſual, ‘ that, before this Parliament, it could never be ‘ parallelled, whilſt under pretence of juſtifying their ‘ Fears, they give ſo much Countenance to the Diſ- ‘ courſe of the Rebels of *Ireland*, as if they had a ‘ mind our good Subjects ſhould give Credit to it: ‘ otherwiſe, being warranted by the ſame Evidence, ‘ which they have ſince publiſhed, they would have ‘ as well declared, That thoſe Rebels publickly ‘ threaten the rooting out the Name of the *Engliſh*, ‘ and that they will have a King of their own, and ‘ no longer be governed by us; as that they ſay, ‘ they do nothing but by our Authority, and that ‘ they will call themſelves *the Queen's Army*. And ‘ therefore we have great reaſon to complain of the ‘ Abſence of Juſtice and Integrity in that Declara- ‘ tion, beſides the Unfitneſs of other Expreſſions. ‘ Neither did we miſtake the Subſtance or Logick of ‘ the Meſſage to us at *Theobalds*, concerning the *Mi- ‘ litia*, which was no other, and is ſtated to be no ‘ other (even by that Declaration which reproved us) ‘ than a plan Threat, *That if we refuſed to join with ‘ them, they would make a Law without us.* Nor hath ‘ the Practice ſince that been other, which will never ‘ be juſtified to the moſt ordinary (if not partial) ‘ Underſtandings, by the mere averring it to be ac- ‘ cording to the fundamental Laws of this King- ‘ dom, without giving any Direction, that the moſt ‘ cunning and learned Men in the Laws may be able ‘ to find thoſe Foundations (9). And we muſt ap- ‘ peal

REM. (9). *There is here an Ambiguity in the Term* Fundamental Law. *The Parliament had clearly expreſſed what they meant by this fundamental Law*, viz. *if*

'peal to all the World, whether they might not with 1642.
'as much Juſtice, and by as much Law, have ſeized
'upon the Eſtates of every Member of both the
'Houſes, who diſſented from that pretended Ordi-
'nance, (which much the major Part of the Houſe
'of Peers did two or three ſeveral times) as they
'have invaded that Power of ours over the *Militia*,
'becauſe we (upon Reaſons they have not ſo much
'as pretended to anſwer) refuſe to conſent to that
'Propoſition: (10)

if the King failed in the Diſcharge of his Duty, the Nation ought not however to be without Defence, and in that caſe it was the Parliament's Buſineſs to take care of it. Inſtead then of asking where this Law was, it ſeems that the King ſhould have ſhown either that, although he ſhould neglect his Duty, it belonged not to the Parliament to meddle with the Government of the State, or that he never had, nor did ſtill neglect the ſame. For according to the Parliament, though this Law was not expreſſed in any particular Statute, it followed of Courſe from the Conſtitution of the Government. The King ſeems, by requiring this Law to be produced, to inſinuate that the Parliament in no caſe whatever could intermeddle with the Government of the State, unleſs authorized thereto by an expreſs Law; and yet the Parliament had alledged two Caſes, namely, the Captivity and Nonage of a King, wherein they might have the Management of the Government, and they reckoned the King's Negligence in the ſame Claſs. To this the King ſhould have returned an Anſwer.

REM. (10). *The Authority the Parliament aſſumed, was not an ordinary Authority, neither did they pretend it to be ſo. It was extraordinary for the preſent ſuppoſed Caſe that there was great Danger from the King. As therefore they had not the ſame Suſpicions againſt thoſe who had at firſt refuſed their Conſent to the Ordinance, they could not ſeize their Goods upon the ſame Foundation. Thus the Conſequences drawn by the King from the Parliament's Uſurpation does not ſeem well-grounded.*

1642. 'And if no better Effects than Loſs of Time, 'and Hindrance of the publick Affairs, have been 'found by our Anſwers and Replies, let all good 'Men judge, by whoſe Default, and whoſe want of 'Duty ſuch Effects have been: For as our End (in-'deed only End) in thoſe Anſwers and Replies hath 'been the Settlement and Compoſure of publick 'Affairs, ſo we are aſſured, and moſt Men do be-'lieve, That if due Regard and Reverence had been 'given to our Words, and that Conſent and Obedience 'to our Counſels, which we did expect, there had 'been before this time a chearful Calm upon the 'Face of the whole Kingdom, every Man enjoying 'his own, with all poſſible Peace and Security that 'can be imagined; which ſurely thoſe Men do not 'deſire, who (after all thoſe Acts of Juſtice and 'Favour paſſed by us in this Parliament, all thoſe 'Affronts and Sufferings endured and undergone by 'us) think fit ſtill to reproach us with Ship-Money, 'Coat and Conduct-Money, and other things ſo a-'bundantly declared (as that Declaration itſelf con-'feſſes) in the general Remonſtrance of the State 'of the Kingdom, publiſhed in *November* laſt, which 'we wonder to find now avowed to be the Remon-'ſtrance of both the Houſes, and which we aſſure 'was preſented to us only by the Houſe of Com-'mons; and did never, and we are confident, in 'that time could never have paſſed the Houſe of 'Peers; the Concurrence and Authority of which 'was not then thought neceſſary. Shall we believe 'thoſe Reproaches to be the Voice of the People of '*England?* That all our loving Subjects eaſed, re-'freſhed, ſtrengthned, and abundantly ſatisfied with 'our Acts of Grace and Favour towards them, are 'willing to be involved in theſe unthankful Expreſ-'ſions? We muſt appeal to the Thanks and Ac-'knowledgments publiſhed in the Petitions of moſt 'of the Counties of *England*, to the Teſtimony 'and Thanks we have received from both Houſes 'of Parliament, how ſeaſonable, how agreeable

'this

'this Uſage of us is to our Merit, or their former 1642.
'Expreſſions.

'We have not in the leaſt ſwerved or departed 'from our Reſolution, or Words, in the Begin-'ning of this Parliament. We ſaid, we were re-'ſolved to put our Self freely and clearly upon the 'Love and Affection of our *Engliſh* Subjects; and 'we ſay ſo ſtill, as far as concerns *England* And 'we call Almighty God to witneſs all our Com-'plaints and Jealouſies, which have never been cauſe-'leſs, not out of our Houſes of Parliament, (but 'of ſome few ſchiſmatical, factious and ambitious 'Spirits, and upon ſuch Grounds, as ſhort time, we 'fear, will juſtify to the World) our denial of the '*Militia*, our abſenting our Self from *London*, have 'been the Effects of an upright and faithful Affec-'tion to our *Engliſh* Subjects, that we may be able '(through all the Inconveniencies we are compelled 'to wreſtle with) at laſt to preſerve and reſtore their 'Religion, Laws and Liberties unto them.

'Since the Proceedings againſt the Lord *Kim-'bolton*, and the Five Members, is ſtill looked upon 'and ſo often preſſed as ſo great an Advantage againſt 'us, that no Retractation made by us, nor no Ac-'tions ſince that time committed againſt us, and the 'Law of the Land, under the Pretence of Vindica-'tion of Privilege, can ſatisfy the Contrivers of that 'Declaration, but that they would have our good 'Subjects believe, the Accuſation of thoſe Six Mem-'bers muſt be a Plot for the breaking the Neck of 'the Parliament, (a ſtrange Arrogance, if any of 'thoſe Members had the Penning of that Declara-'tion) and that it is ſo often urged againſt us, as if 'by that ſingle caſual Miſtake of ours (in Form 'only) we had forfeited all Duty, Credit and Al-'legiance from our People; we muſt, without en-'deavouring to excuſe that, *which in Truth was an 'Error*, (our going to the Houſe of Commons) give 'our People a clear and full Narration of the Mat-'ter of Fact, aſſuring our Self, that our good Sub-

1642. ‘ jects will not find our Carriage in that Buſineſs ſuch
‘ as hath been reported.

‘ When we reſolved upon ſuch Grounds, as when
‘ they ſhall be publiſhed, will ſatisfy the World, that
‘ it was fit for our own Safety and Honour, and the
‘ Peace of the Kingdom, to proceed againſt thoſe
‘ Perſons (11); though we well know there was no
‘ Degree of Privilege in that caſe, yet (to ſhew
‘ our Deſire of Correſpondency with the two Houſes
‘ of Parliament) we choſe, rather than to apprehend
‘ their Perſons by the ordinary Miniſters of Juſtice,
‘ (which, according to the Opinion and Practice of
‘ former Times, we might have done) to command
‘ our Attorney-General to acquaint our Houſe of
‘ Peers with our Intention, and the general Matter
‘ of our Charge, (which was yet more particular
‘ than a mere Accuſation) and to proceed accord-
‘ ingly; and at the ſame time ſent a ſworn Servant,
‘ a Serjeant at Arms to our Houſe of Commons,
‘ to acquaint them, That we did accuſe, and intended
‘ to proſecute the Five Members of that Houſe for
‘ High-Treaſon, and did require that their Perſons
‘ might be ſecured in Cuſtody. This we did, not
‘ only to ſhew that we intended not to violate or
‘ invade their Privileges, but to uſe more Ceremony
‘ towards them, than we then conceived in Juſtice
‘ might be required of us; and expected at leaſt ſuch
‘ an Anſwer as might inform us, if we were out of
‘ the way: But we received none at all; only in the
‘ Inſtant, without offering any thing of their Pri-

REM. (11). *I have already ſaid, that the Parliament took Offence chiefly that the Articles of the Accuſation exhibited by the Attorney-General ſtruck at the whole Houſe of* Commons, *and a great Number of Lords, as much as at the Perſons accuſed. Here the King maintains the Matter of the Accuſation, ſince it was for the Peace of the Kingdom, and paſſes over in Silence the Reaſons that he reſerved for another Time, and thereby his Vindication could not be full and complete.*

‘ vileges

'vileges to our Conſideration, an Order was made, 1642.
'(and the ſame Night publiſhed in Print) That if
'any Perſon whatſoever ſhould offer to arreſt the
'Perſon of any Member of that Houſe, without
'firſt acquainting that Houſe therewith, and receiving
'further Orders from that Houſe, that it ſhould be
'lawful for ſuch Members, or any Perſon to reſiſt
'them, and to ſtand upon his, or their Guard of
'Defence, and to make Reſiſtance according to the
'Proteſtation taken to defend the Privileges of Par-
'liament. And this was the firſt time that we heard
'the Proteſtation might be wreſted to ſuch a Senſe;
'or that in any caſe (though of the moſt undoubted
'and unqueſtionable Privilege) it might be lawful
'for any Perſon to reſiſt, and uſe Violence againſt a
'publick Miniſter of Juſtice, armed with lawful
'Authority, though we well knew, that even ſuch
'a Miniſter might be puniſhed for executing ſuch Au-
'thority.

'Upon viewing this Order, we muſt confeſs
'we were ſomewhat amazed, having never ſeen or
'heard of the like, though we had known Mem-
'bers of either Houſe committed without ſo much
'Formality as we have uſed, and upon Crimes of a
'far inferiour Nature to thoſe we had ſuggeſted;
'and having no Courſe propoſed to us for our Pro-
'ceeding, we were upon that Matter only told,
'That againſt thoſe Perſons we were not to proceed
'at all: That they were above our Reach, or the
'Reach of the Law. It was then not eaſy for us
'to reſolve what to do (12). If we employed our
'Miniſters of Juſtice in the uſual way for their Ap-

REM. (12). *This is a little diſguiſed. The King was not told that theſe Members were above the Reach of the Laws: but only that the Parliament ſitting, the Members could not be impriſoned without the Conſent of their Houſe, and that it was expected the Grounds of the Accuſation ſhould be made known in order to this Conſent.*

1642. ‘ prehenſion, (who without doubt would not have
‘ refuſed to execute our lawful Commands) we ſaw
‘ what Reſiſtance and Oppoſition was like to be
‘ made, which very probably might coſt ſome Blood.
‘ If we ſate ſtill, and deſiſted upon this Terror, we
‘ ſhould at the beſt have confeſſed our own Want of
‘ Power, and the Weakneſs of the Law. In this
‘ Strait we put on a ſudden Reſolution to try whether
‘ our own Preſence, and a clear Diſcovery of our
‘ Intentions (which haply might not have been ſo
‘ well underſtood) could remove thoſe Doubts, and
‘ prevent thoſe Inconveniencies which ſeemed to have
‘ been threatned; and thereupon we reſolved to go
‘ in our own Perſon to our Houſe of Commons,
‘ which we diſcovered not till the very Minute of
‘ our going; when we ſent our Orders, That our
‘ Servants, and ſuch Gentlemen as were then in our
‘ Court, ſhould attend us to *Weſtminſter:* But giving
‘ them expreſs Command (as we have expreſſed in
‘ our Anſwer to the Ordinance) that no Accidents
‘ of Provocation ſhould draw them to any ſuch Ac-
‘ tion as might imply a Purpoſe of Force in us; and
‘ our Self (requiring thoſe of our Train not to come
‘ within the Door) went into the Houſe of Com-
‘ mons: The bare doing of which, we did not then
‘ conceive would have been thought more a Breach
‘ of Privilege, than if we had gone to the Houſe of
‘ Peers, and ſent for them to come to us, which is
‘ the uſual Cuſtom. We uſed the beſt Expreſſions
‘ we could, to aſſure them how far we were from
‘ any Intention of violating their Privileges; that we
‘ intended to proceed legally and ſpeedily againſt the
‘ Perſons we accuſed, and deſired therefore, if they
‘ were in the Houſe, that they might be delivered
‘ to us; or if abſent, that ſuch a Courſe might be
‘ taken for their forth-coming, as might ſatisfy our
‘ juſt Demands: and ſo we departed, having no other
‘ purpoſe of Force, if they had been in the Houſe,
‘ than we have before proteſted before God, in our
‘ Anſwer to the Ordinance. You have an account

1642.

'of our part of this Story fully, let our People 'judge freely of it. What followed on their Part, '(though this Declaration tells you, *it could not with-draw any part of their Reverence and Obedience from us*; it may be any part of theirs it did not) we 'ſhall have too much Cauſe hereafter to inform the 'World.

'There will be no end of this Diſcourſe, and of 'upbraiding us with evil Counſellors, if upon our 'conſtant Denial of knowing any, they will not 'vouchſafe to inform us of them; and after Eight 'Months amuſing the Kingdom with the Expecta-'tion of a Diſcovery of a malignant Party, and of 'evil Counſellors, they will not at laſt name any, 'nor deſcribe them. Let the Actions and Lives of 'Men be examined, who have contrived, counſelled, 'actually conſented to grieve and burden our Peo-'ple: And if ſuch be about us, or any againſt whom 'any notorious malicious Crime can be proved; if 'we ſhelter and protect any ſuch, let our Injuſtice be 'publiſhed to the World: But till that be done, par-'ticularly and manifeſtly, (*for we ſhall never conclude 'any Man, upon a bare general Vote of the major Part 'of either, or both Houſes, till it be evident that major 'Part be without Paſſion or Affection*) we muſt look 'upon the Charge this Declaration puts on us, of 'cheriſhing and countenancing a diſcontented Party 'of the Kingdom againſt them, as a heavier and 'unjuſter Tax upon our Juſtice and Honour, than 'any we have, or can lay upon the Framers of that 'Declaration (13). And now to countenance thoſe 'unhandſome Expreſſions, whereby uſually they 'have implied our Connivance at, or want of Zeal 'againſt the Rebellion of *Ireland*, (ſo odious to all 'good Men) they have found a new way of Expro-'bration; *That the Proclamation againſt thoſe bloody*

REM. (13). *With ſuch Reſtrictions one may diſpute for ever: For who ſhould be judge whether the major Part of the Houſe were without Paſſion or Prejudice?*

1642. ‘ *Traytors came not out till the Beginning of* January, ‘ *though that Rebellion broke out in* October; *and then* ‘ *by ſpecial Command from us, but Forty Copies were* ‘ *appointed to be printed.* It is well known where we ‘ were at that time, when that Rebellion brake forth ‘ in *Scotland*; That we immediately from thence re- ‘ commended the Care of that Buſineſs to both ‘ Houſes of Parliament here, after we had provided ‘ for all fitting Supplies from our Kingdom of *Scot-* ‘ *land:* That after our Return hither, we obſerved ‘ all thoſe Forms for that Service, which we were ad- ‘ viſed to by our Council of *Ireland*, or both Houſes ‘ of Parliament here; and if no Proclamations iſſued ‘ out ſooner, (of which for the preſent we are not ‘ certain, but think that others before that time ‘ were iſſued by our Direction) it was becauſe the ‘ Lords Juſtices of the Kingdom deſired them no ‘ ſooner, and when they did, the Number they de- ‘ ſired was but Twenty, which they adviſed might ‘ be ſigned by us; which we for Expedition of the ‘ Service, commanded to be printed, (a Circumſtance ‘ not required by them) thereupon we ſigned more ‘ than our Juſtices deſired. All which was very ‘ well known to ſome Members of one or both ‘ Houſes of Parliament, who have the more to an- ‘ ſwer, if they forbore to expreſs it at the paſſing of ‘ this Declaration: And if they did expreſs it, we ‘ have the greater Reaſon to complain, that ſo en- ‘ vious an Aſperſion ſhould be caſt on us to our Peo- ‘ ple, when they knew well how to anſwer their own ‘ Objection. (14)

‘ What that Complaint is againſt the Parlia- ‘ ment, put forth in our Name, which is ſuch an ‘ Evidence and Countenance to the Rebels, and

REM. (14). *This Anſwer appears ſomewhat weak; for ſuppoſing Forty Copies would have been ſufficient for* Ireland, *why was not the Proclamation publiſhed in* England? *The King returns no Anſwer to what the Parliament ſaid in the Proclamation againſt the* Scots.

‘ ſpeaks

'ſpeaks the ſame Language of the Parliament which 1642.
'the Rebels do, we cannot underſtand. All our
'Anſwers and Declarations have been, and are
'owned by us, and have been atteſted under our
'own Hand; if any other had been publiſhed in our
'Name, and without our Authority, it would be
'eaſy for both Houſes of Parliament to diſcover and
'apprehend the Authors. And we wiſh, that who-
'ſoever was truſted with the drawing and penning
'of that Declaration, had no more Authority or
'Cunning to impoſe upon, or deceive the major
'Part of thoſe Votes by which it paſſed, than any
'Man hath to prevail with us to publiſh in our Name
'any thing but the Senſe and Reſolution of our own
'Heart: Or, that the Contriver of that Declaration
'could, with as good a Conſcience, call God to
'witneſs, That all his Counſels and Endeavours
'have been free from all private Aims, perſonal
'Reſpects or Paſſions whatſoever, as we have done
'and do, that we never had or knew of any ſuch
'Reſolution of bringing up the Army to *London*.
'And ſince this new Device is found out, inſtead of
'anſwering our Reaſons, or ſatisfying our juſt De-
'mands, to blaſt our Declarations and Anſwers, as
'if they were not our own (a bold ſenſleſs Imputa-
'tion) we are ſure, that every Anſwer and Decla-
'ration publiſhed by us, is much more our own,
'than any one of thoſe bold, threatning and reproach-
'ful Petitions and Remonſtrances are the Acts of
'either, or both Houſes. And if the Penner of
'that Declaration had been careful of the Truſt re-
'poſed in him, he would never have denied, (and
'thereupon found fault with our juſt Indignation)
'in the Text or Margin, that we never had been
'charged with the Intention of any Force: and that
'in their whole Declaration there is no word tend-
'ing to ſuch a Reproach: the contrary whereof is
'ſo evident, that we are in expreſs Terms charged
'in that Declaration, That we ſent them gracious

'Meſ-

1642. ‘ Messages, when, with our Privity, bringing up the ‘ Army was in Agitation. And even in this De- ‘ claration they seek to make our People believe ‘ some such thing to be proved in the Depositions ‘ now published, wherein we doubt not, they will ‘ as much fail, as they do in their Censure of that ‘ Petition shewed formerly to us by Captain *Legg*, ‘ and subscribed by us with *C. R.* which, not- ‘ withstanding our full and particular Narration of ‘ the Substance of that Petition, the Circumstances ‘ of our seeing and approving it, this Declaration ‘ is pleased to say, was full of Scandal to the Par- ‘ liament, and might have proved dangerous to ‘ the whole Kingdom. If they have this dangerous ‘ Petition in their Hands, we have no reason to ‘ believe any Tenderness to us-ward hath kept them ‘ from communicating it: If they have it not, we ‘ ought to have been believed. But that all good ‘ People may compute their other pretended Dan- ‘ gers by their clear Understanding of this, the ‘ Noise whereof hath not been inferior to any of ‘ the rest. We have recovered a true Copy of ‘ the very Petition we signed with *C. R.* which ‘ shall in fit time be published; and which we hope ‘ will open the Eyes of our good Subjects (15). ‘ Concerning our Warrant for Mr *Jermin*'s Pas- ‘ sage, our Answer was true and full: But for his ‘ black Sattin Suit, and white Boots, we can give ‘ no account.

REM. (15). *This whole Article of the Answer seems very weak, since the King's Defence consists only of his own Testimony. There could not be a more proper Occasion to publish this* Petition, *of which he said he had a true Copy. But in putting off the Publication to a more convenient Time, he gave room to suspect, there were some things in the* Petition *which were not favourable to him.*

‘ We

1642.

'We complained in our Declaration, and as often 'as we have Occaſion to mention our Return and 'Reſidence near *London*, we ſhall complain of the 'barbarous and ſeditious Tumults at *Weſtminſter* and '*Whitehall*, which indeed were ſo full of Scandal to 'our Government, and Danger to our Perſon, that 'we ſhall never think of our Return thither, till we 'have Juſtice for what is paſt, and Security for the 'Time to come. And if there were ſo great a Ne'ceſſity, or Deſire of our Return as is pretended, in 'all this time upon ſo often preſſing our Deſires, 'and upon Cauſes ſo notorious, we ſhould at leaſt 'have procured ſome Order for the future. But 'that Declaration tells us, we are upon the Matter 'miſtaken; The Reſort of the Citizens to *Weſtmin'ſter* was as lawful as the Reſort of great Numbers 'every Day in the Term to the ordinary Courts of 'Juſtice. They knew no Tumults. Strange! Was 'the diſorderly Appearance of ſo many Thouſand 'People with Staves and Swords, crying through 'the Streets, *Weſtminſter-Hall*, the Paſſages between 'both Houſes, (inſomuch as the Members could 'hardly paſs too and fro) *No Biſhops, down with the 'Biſhops*; no Tumults! What Member is there of 'either Houſe that ſaw not thoſe Numbers, and 'heard not thoſe Cries? And yet lawful Aſſem'blies! Were not ſeveral Members of either Houſe 'aſſaulted, threatened and ill treated? and yet no 'Tumults! Why made the Houſe of Peers a De'claration, and ſent it down to the Houſe of Com'mons for the ſuppreſſing of Tumults, if there were 'no Tumults? And if there were any, why was not 'ſuch a Declaration conſented to and publiſhed? 'When the Attempts were ſo viſible, and the Threats 'ſo loud to pull down the Abby at *Weſtminſter*, had 'we not juſt Cauſe to apprehend, that ſuch People 'might continue their work to *Whitehall*? Yet no Tu'mults! What a ſtrange Time are we in! That a few 'impudent, malicious (to give them no worſe Term) 'Men, ſhould caſt ſuch a ſtrange Miſt of Error be-

'fore

1642. ‘ fore the Eyes of both Houſes of Parliament, as ‘ that they either cannot, or will not ſee how mani- ‘ feſtly they injure themſelves by maintaining theſe ‘ viſible Untruths? We ſay no more. By the help ‘ of God, and the Law, we will have Juſtice for ‘ thoſe Tumults (16).

‘ From excepting (how weightily let every Man ‘ judge) to what we have ſaid, that Declaration pro- ‘ ceeds to Cenſure us for what we have not ſaid, for ‘ the prudent Omiſſions in our Anſwer: We forbore ‘ to ſay any Thing of the Words ſpoken at *Kenſing-* ‘ *ton*, or the Articles againſt our deareſt Conſort, ‘ and of the Accuſation of the ſix Members: Of the ‘ laſt we had ſpoken often, and we thought enough ‘ of the other two; having never accuſed any (tho' ‘ God knows what Truth there might be in either) ‘ we had no reaſon to give any particular Anſwer.

‘ We do not reckon our Self bereaved of any part ‘ of our Prerogative, which we are pleaſed freely to ‘ part with by Bill; yet we muſt ſay, we expreſſed ‘ a great Truſt in our two Houſes of Parliament, ‘ when we diveſted our Self of the Power of diſſolving ‘ this Parliament, which was a juſt, neceſſary, and ‘ proper Prerogative: But we are glad to hear their ‘ Reſolution, that it ſhall not encourage them to do ‘ any Thing, which otherwiſe had not been fit to ‘ have been done; if it do, it will be ſuch a Breach

REM. (16). *The Parliament's Declaration alledged two Things upon this Article*; Firſt, *That the Concourſe of People at* Weſtminſter *was no Tumult.* Secondly, *That the King's Perſon was in no manner of Danger, ſince on the Morrow he went through the City without a Guard, and moreover ſtaid ſeveral Days at* Whitehall *in Safety. The King anſwers here to the firſt of theſe Things, and leaves the other without Reply. Only he draws a Conſequence that* Whitehall *was in Danger, becauſe the People threatened to pull down* Weſtminſter-Abbey, *a Circumſtance which no where appears in the Accounts of theſe Tumults.*

‘ of

'of Truſt, as God will require an Account for at 1642.
'their Hands.

'For the *Militia*, we have ſaid ſo much of it here-
'tofore, and the Point is ſo well underſtood by all
'Men, that we will waſte Time no more in that Diſ-
'pute. We never ſaid there was no ſuch Thing as
'an Ordinance, (though we know that they have
'been long diſuſed) but there never was any Ordi-
'nance, or can be without the King's Conſent; and
'that is true, and the unneceſſary Precedent cited
'in that Declaration doth not offer to prove the con-
'trary. But enough of that, God and the Law muſt
determine that Buſineſs.

'Neither hath this Declaration given us any Satis-
'faction concerning the Votes of the 15th and 16th
'of *March* laſt, which we muſt declare, and appeal
'to all the World in the Point, to be the greateſt
'Violation of our Privilege, the Law of the Land,
'the Liberty of the Subject, and the Right of Par-
'liament, that can be imagined. One of theſe Votes
'is (and there needs no other to deſtroy the King
'and People) *That when the Lords and Commons* (it is
'well the Commons are admitted to their Part in
'Judicature) *ſhall declare what the Law of the Land*
'*is, the ſame muſt be aſſented unto, and obeyed*; that
'is the Senſe in a few Words. Where is every Man's
'Property; every Man's Liberty? If a major-
'part of both Houſes declare that the Law is, that
'the younger Brother ſhall inherit, what is become of
'all the Families and Eſtates of the Kingdom? If
'they declare that by the Fundamental Law of the
'Land, ſuch a raſh Action, ſuch an unadviſed Word
'ought to be puniſhed with perpetual Impriſoment,
'is not the Liberty of the Subject, *durante placito*,
'remedileſs? That Declaration confeſſeth, They
'pretend not to Power of making new Laws, that
'without us they cannot do that. They need no
'ſuch Power, if their Declaration can ſuſpend this
'Statute from being obeyed or executed, and make
'this Order, which is no Statute, to be obeyed and
'executed,

1642. ‘ executed. If they have Power to declare the Lord ‘ *Digby* waiting on us to *Hampton-Court*, and thence ‘ viſiting ſome Officers at *Kingſton*, with a Coach ‘ and ſix Horſes, to be a levying of War and High-‘ Treaſon; and Sir *John Hotham*'s defying us to our ‘ Face, keeping our Town and Fort and Goods a-‘ gainſt us by Force of Arms, to be an Act of Af-‘ fection and Loyalty, what needs a Power of ma-‘ king new Laws? Or is there ſuch a Thing as Law ‘ left? We deſire our good Subjects to mark the ‘ Reaſon and Conſequence of theſe Votes, the Pro-‘ greſs they have already made, and how infinite that ‘ Progreſs may be. Firſt, they vote the Kingdom ‘ is in imminent Danger, (it is above three Months ‘ ſince they diſcerned it) from Enemies abroad, and ‘ and a Popiſh and diſcontented Party at Home: ‘ That is Matter of Fact, the Law follows. This ‘ Vote hath given them Authority by Law (the ‘ Fundamental Laws of the Kingdom) to order and ‘ diſpoſe of the *Militia* of the Kingdom, and with ‘ this Power, and to prevent that Danger, to enter ‘ into our Towns, ſeize upon our Magazine, and by ‘ Force keep both from us Is not this our Caſe? ‘ Firſt, They vote we have an Intention to levy ‘ War againſt our Parliament *, that is Matter of ‘ Fact: Then they declare, ſuch as ſhall aſſiſt us, ‘ to be guilty of High-Treaſon; that is the Law, ‘ and proved by two Statutes themſelves known to be ‘ repealed: No Matter for that, they declare it, ‘ upon this Ground they exerciſe the *Militia*, and ſo ‘ actually do that upon us, which they have voted ‘ we intend to do upon them. Who doth not ſee ‘ the Confuſion that muſt follow upon ſuch a Power ‘ of declaring? If they ſhould now Vote, that we ‘ did not write this Declaration, but that ſuch an one ‘ did it, which is ſtill Matter of Fact; and then de-‘ clare that for ſo doing he is an Enemy to the Com-‘ mon-

* Theſe Votes paſſed in the Interval between the Publication of the Parliament's Declaration, and that of the King's Anſwer.

'mon-wealth: What is become of the Law that 1642.
'Man was born to? And if all their Zeal for the
'Defence of the Law, be but to defend that which
'they declare to be Law, their own Votes, it will
'not be in their Power to ſatisfy any Man of their
'good Intentions to the Publick Peace, but ſuch
'who are willing to relinquiſh their Titles to *Magna*
'*Charta* and hold their Lives and Fortunes by a Vote
'of a major-part of both Houſes. In a Word, we
'deny not but that they may have Power to declare
'in a particular doubtful Caſe, regularly brought
'before them, what Law is; but to make a general
'Declaration, whereby the known Rule of the Law
'may be croſſed or altered, they have no Power,
'nor can exerciſe any, without bringing the Life and
'Liberty of the Subject to a lawleſs and arbitrary
'Subjection (17).

'We complained, (and let the World judge of
'the Juſtice and Neceſſity of that Complaint) of the
'Multitude of ſeditious Pamphlets and Sermons.
'And that Declaration tells, They know we have
'ways enough in our ordinary Courts of Juſtice to
'puniſh thoſe; ſo we have to puniſh Tumults and
'Riots, and yet they will not ſerve our turn to keep
'our Towns, our Foreſts and Parks from Violence*.
'And it may be, though thoſe Courts have ſtill the

REM. (17). *It muſt needs have been a great Mortification to the King, to be forced to ſhow by ſuch good Arguments, the Miſchiefs that flow from Arbitrary Power. The ſame Reaſons the King uſed to demonſtrate that Arbitrary Power was the natural Conſequence of the Parliament's Maxims, ſerved to prove that it was equally hazardous to leave, not every King of* England, *but* Charles I. *in particular, inveſted with the Authority allowed him by the Laws, conſidering the uſe he had already made of that Power.*

* This alludes to a Diſturbance which happened in the Park and Foreſt of *Windſor*.

'Power

1642. ‘ Power to punish, They may have lost the Skill ‘ to define what Riots and Tumults are; otherwise ‘ a Jury in *Southwark*, legally impannelled to exa- ‘ mine a Riot there, would not have been super- ‘ ded, and the Sheriff enjoyned not to proceed, by ‘ Virtue of an Order of the House of Commons, ‘ which it seems at that Time had the sole Power of ‘ declaring. But it is no wonder that they who ‘ could not see the Tumults, do not consider the ‘ Pamphlets and Sermons, though the *Author of the* ‘ *Protestation protected*, be well known to be *Burton* ‘ (that infamous Disturber of the Peace of this ‘ Church and State) and that he preached it at *West-* ‘ *minster*, in the hearing of divers Members of the ‘ House of *Commons*: But of such Pamphlets, and ‘ seditious Preachers (divers whereof have been re- ‘ commended, if not imposed upon several Parishes, ‘ by some Members of both Houses, by what Au- ‘ thority we know not) we shall hereafter take a ‘ further Account (18).

‘ We confess we have little Skill in the Laws, ‘ and those that have had most, we find now are ‘ much to seek: Yet we cannot understand or be- ‘ lieve, that every ordinary Court, or any Court ‘ hath Power to raise what Guard they please; and ‘ under what Command they please; neither can we ‘ imagine what dangerous Effects they found by the

REM. (18). *These Sermons contained, for the most part, the Maxims which the Parliament would have established, or pretended to be agreeable to the Laws; but which the King looked upon as Seditious, and for that Reason he would have it that the Parliament ought to punish the Authors. This infamous* Burton *was the same whose Ears were cut off by the* Star-Chamber, *and who was banished to* Guernsey, *for publishing a Treatise against the Church of* England. *It seems here, that the King was not pleased with the Parliament's reversing his Sentence.*

‘ Guard

'Guard we appointed them, or (indeed) any the 1642.
'leaſt occaſion why they needed any Guard at all.

'But upon all the Imputations ſo cauſeleſsly and 'unjuſtly laid upon us by that Declaration, we muſt 'wonder at that Charge ſo apparently and evidently 'untrue, That ſuch are continually preferred and 'countenanced by us, who are Friends or Favourers 'or related to the chief Authors and Actors of that 'Arbitrary Power heretofore practiced or complained 'of. And on the other Side, that ſuch as did appear 'againſt it, are daily diſcountenanced and diſgraced. 'We would know one Perſon that contributed to 'the Ills of thoſe Times, or had dependency upon 'thoſe that did, whom we do, or lately have coun-'tenanced or preferred. Nay, we are confident '(and we look for no other at their Hands) as they 'have been moſt eminent Aſſertors of the Publick 'Liberties; ſo, if they found us inclined to any 'Thing not agreeable to Honour and Juſtice, they 'would leave us to Morrow: Whether different Per-'ſons have not, and do not receive Countenance elſe-'where, and upon what Grounds, let all Men judge; 'and whether we have not been forward enough to 'Honour and prefer thoſe of the moſt contrary Opi-'nion, how little Comfort ſoever we have had of 'thoſe Preferments; in beſtowing of which hereaf-'ter we ſhall be more guided by Men's Actions and 'Opinions. And therefore we had good Cauſe to 'beſtow that Admonition (for we aſſure you it 'was an Admonition of our own) upon both our 'Houſes of Parliament, to take heed of inclining '(under the ſpecious ſhews of Neceſſity and Dan-'ger) to the Exerciſe of ſuch an Arbitrary Power 'they before complained of: The Advice will do 'no harm, and we ſhall be glad to ſee it followed.

'And are all the ſpecious Promiſes, and loud Pro-'feſſions of making us a great and glorious King, 'of ſettling a greater Revenue upon us than any of 'our Anceſtors have enjoyed; of making us to be 'honoured at home, and feared abroad; reſolved

1642. ‘ into this, that they will be ready to ſettle our Revenue in an honourable Proportion, when we ſhall ‘ put our Self in ſuch Poſture of Government that ‘ our Subjects may be ſecure to enjoy our juſt Protection for their Religion, Laws, and Liberties? ‘ What Poſture of Government they intend we know ‘ not, nor can we imagine what Security our good ‘ Subjects can deſire for their Religion, Laws, and ‘ Liberties, which we have not offered, or fully ‘ given? (19). And is it ſuitable to the Duty and ‘ Dignity of both Houſes of Parliament to anſwer ‘ our particular weighty Expreſſions of the Cauſe of ‘ our remove from *London* (ſo generally known to ‘ the Kingdom) with a Scoff, That they hope we ‘ were driven from thence, not by our own Fears, ‘ but by the Fears of the Lord *Digby*, and his Retinue of *Cavaliers?* Sure the Penner of that Declaration inſerted that ungrave and inſolent Expreſſion ‘ (as he hath done divers others) without the Conſent or Examination of both Houſes, who would ‘ not ſo lightly have departed from their former Profeſſions of Duty to us.

‘ Whether the way to a good Underſtanding between us and our People, hath been as zealouſly ‘ preſſed by them, as it hath been profeſſed and deſired by us will be eaſily diſcerned by thoſe who ‘ obſerve, that we have left no Publick Act undone ‘ on our Part, which in the leaſt degree might be ‘ neceſſary to the Peace, Plenty, and Security of our ‘ Subjects, and that they have not diſpatched one Act ‘ which hath given the leaſt Evidence of their particular Affection and Kindneſs to us; but on the

REM. (19). *Unhappily after the Violation of* the Petition of Right, *neither the King's Word nor Promiſes, nor even Acts of Parliament were deemed a ſufficient Security. At leaſt, plauſible Reaſons were alledged not to confide in them. Nothing but the* Militia *could ſatisfy the Parliament, and that was the Thing the King would not grant.*

‘ contrary,

'contrary, have diſcountenanced and hindered the 1642.
'Teſtimony other Men would give to us of their
'Affections; witneſs, the ſtopping and keeping back
'the Bill of Subſidies granted by the Clergy almoſt
'a Year ſince; which, though our Perſonal Wants
'are ſo notoriouſly known, they will not to this
'Time paſs: So not only forbearing to Supply us
'themſelves, but keeping the Love and Bounty of
'other Men from us, and afford no other Anſwers
'to all our Deſires, all our Reaſons (indeed not to
'be anſwered) than, That we muſt not make our
'Underſtanding or Reaſon the Rule of our Govern-
'ment, but ſuffer our Self to be aſſiſted (which we
'never denied) by our great Council. We require
'no other Liberty to our Will, than the meaneſt of
'them do, (we wiſh they would always uſe that Li-
'berty) not to conſent to any Thing evidently con-
'trary to our Conſcience and Underſtanding; and
'we have and ſhall always give as much Eſtimation
'and Regard to the Advice of both our Houſes of
'Parliament, as ever Prince hath done; But we ſhall
'never (and we hope our People will never) account
'the Contrivance of a few (factious, ſeditious Perſons,
'a malignant Party, who would ſacrifice the Com-
'mon-wealth to their own Fury and Ambition) the
'Wiſdom of Parliament: And that the juſtifying and
'defending ſuch Perſons, (of whom and of their
'particular ſiniſter ways to compaſs their own bad
'Ends, we ſhall ſhortly inform the World) is not
'the way to preſerve Parliaments, but is the oppo-
'ſing and preferring the Conſideration of a few un-
'worthy Perſons, before their Duty to their King,
'or their Care of the Kingdom. They would have
'us remember that our Reſolutions do concern King-
'doms, and therefore are not to be moulded by our
'own Underſtanding: We well remember it, but
'we would have them remember, That when their
'Conſultations endeavour to leſſen the Office and
'Dignity of a King, they meddle with that which is
'not within their Determination, and of which we

1641. ‘ muſt give an account to God and our other King-
‘ doms, and muſt maintain with the Sacrifice of our
‘ Life.

‘ Laſtly, That Declaration tells you of a preſent
‘ deſperate and malicious Plot of the malignant Par-
‘ ty now acting, under the plauſible Notions of ſtir-
‘ ring Men up to a Care of preſerving the King's
‘ Prerogative, maintaining the Diſcipline of the
‘ Church, upholding and continuing the Reverence
‘ and Solemnity of God's Service, and encouraging
‘ Learning, (indeed plauſible and honourable Noti-
‘ ons to Act any Thing upon) and that upon theſe
‘ Grounds divers mutinous Petitions have been fra-
‘ med in *London*, *Kent*, and other Places. Upon
‘ what Grounds would theſe Men have Petitions fra-
‘ med? Have ſo many Petitions (even againſt the
‘ Form and Conſtitution of the Kingdom, and the
‘ Laws eſtabliſhed) been joyfully received and ac-
‘ cepted? And ſhall Petitions framed upon theſe
‘ Grounds be called *mutinous?* Hath a Multitude of
‘ mean, unknown, inconſiderable, contemptible Per-
‘ ſons about the City and Suburbs of *London*, had
‘ Liberty to Petition againſt the Government of the
‘ Church, againſt the Book of Common-Prayer, a-
‘ gainſt the Freedom and Privilege of Parliament,
‘ and be thanked for it? And ſhall it be called Mu-
‘ tiny in the graveſt and beſt Citizens of *London*, in
‘ the Gentry and Commonalty of *Kent*, to frame
‘ Petitions upon theſe Grounds, and to deſire to be
‘ governed by the known Laws of the Land,
‘ not by Orders or Votes of either, or both Houſes
‘ of Parliament? Can this be thought the Wiſdom
‘ and Juſtice of both Houſes of Parliament? Is it
‘ not evidently the Work of a Faction within or
‘ without both Houſes, who deceive the Truſt re-
‘ poſed in them, and have now told us, what Muti-
‘ ny is? To ſtir up Men to a Care of preſerving our
‘ Prerogative, maintaining the Diſcipline of the
‘ Church, upholding and continuing the Reverence
‘ and Solemnity of God's Service, encouraging of
‘ Learning,

'Learning, is Mutiny. Let Heaven and Earth, 1642.
'God and Man, judge between us and theſe Men.
'And however ſuch Petitions are there called mu-
'tinous, and the Petitioners threatned, diſcounte-
'nanced, cenſured and impriſoned; if they bring
'ſuch lawful Petitions to us, we will graciouſly re-
'ceive them, and defend them and their Rights a-
'gainſt what Power ſoever, with the utmoſt Hazard
'of our Being.

'We have been the longer (to our very great
'Pain) in this Anſwer, that we might give the
'World Satisfaction, even in the moſt trivial Parti-
'culars which have been objected againſt us; and
'that we may not again be reproached with any
'more prudent Omiſſions. If we have been compel-
'led to ſharper Language than we affect, let it be
'conſidered how vile, how inſufferable our Provoca-
'tions have been: And except to repel Force be to
'Aſſault, and to give punctual and neceſſary An-
'ſwers to rough and inſolent Demands, be to make
'Invectives, we are confident the World will accuſe
'us of too much Mildneſs, and all our good Sub-
'jects will think we are not well dealt with, and
'will judge of us, and of their own Happineſs and
'Security in us, by our Actions; which we deſire
'may no longer proſper, or have a Bleſſing from
'God upon them and us, than they ſhall be directed
'to the Glory of God, in the Maintenance of the
'true Proteſtant Profeſſion, to the Preſervation of
'the Property and the Liberty of the Subject in the
'Obſervation of the Laws, and to the Maintenance
'of the Rights and Freedom of Parliament, in the
'Allowance and Protection of their juſt Privileges."

Explication of the Differences between the King and Parliament.

After reading all theſe *Papers* in this ſecond Part of the Reign of *Charles* I, a Man ſhould, one would think, have a perfect Knowledge of the Differences between the King and the Parliament, and the Matter be exhauſted. Nevertheleſs, if he ſhould keep to the *Papers* publiſhed on both Sides, he would have

1642. no clear Notion of the Cauſe of theſe Differences. To this end we muſt enter into the Motives which they took care not to diſcover in their *Manifeſto's*, publiſhed only with Deſign to gain the Approbation of the People. I ſhall inſert here a Recital, which, in my Opinion, will ſerve to give a clear and fair Repreſentation of theſe Differences. I ſhall ſay nothing but what has been ſaid in ſeveral Places, and yet I believe it will not be ſuperfluous to ſum up the whole together in a few Words, which may be of Service to ſhow the Grounds and Cauſes of the enſuing Civil Wars.

It muſt firſt be laid down as a Fact that needs no Proof after what has been ſaid, that the King had formed a Deſign to eſtabliſh an arbitrary Government in *England*. They who deny this, have nothing to do but to frame and deviſe a more natural Cauſe of the People's Diſcontent againſt his Government. But it is certain, whatever their Syſtem may be, they will never be able, without this, to reconcile it with the Events ſo, as to ſatisfy the Impartial and Unbyaſſed. The Four preceding Parliaments conſidered all the King's Proceedings, from the Beginning of his Reign, as tending to eſtabliſh an abſolute Power. This was what they called their *Grievances*, the Redreſs whereof they frequently, though in vain, demanded.

Charles I. inherited the King his Father's mortal Averſion to the *Puritans* or *Presbyterians*. He was, like him, perſuaded, that their Principles concerning Church-Government were directly oppoſite to Monarchy in the State. They both went ſtill further. They believed not only that all the *Puritans* were Enemies to Monarchy, but alſo that all thoſe who were againſt a deſpotick Power were truly *Puritans*. This made *Charles* I. reſolve to ruin all ſuch as were not ſubmiſſive enough to his Will, by confounding them all under the Name of *Puritans*. To that purpoſe he admitted into his Council or any publick Office none but ſuch as were of the ſame Opinion with himſelf. Hence ſprung all the Severities exerciſed

by the Council, the *Star-Chamber*, the *High-Commiſſion*, the Judges, and all the Magiſtrates, upon all thoſe that, according to the Notions of the Court, were infected with *Puritaniſm*, though many of theſe Men were ſincerely attached to the Church of *England*. Herein the King, contrary to his Intention, did a very great Service to the true *Presbyterians*, ſince he confounded their Intereſts with thoſe of a great Number of People, who, otherwiſe would have had no Inclination for *Presbyterianiſm*. The Truth is, they were both threatned with the ſame Deſtruction. For this Reaſon, in the Elections for this laſt Parliament, abundance of Members were returned who were of contrary Principles to the King and Court. Among theſe, the *Presbyterians* were the moſt eager, plainly perceiving their Ruin was determined, and would be ſoon at Hand, if the King ſucceeded in his Deſigns. Thus the *Presbyterian* Party, which before made an inconſiderable Figure in the Kingdom, grew very ſtrong, by the Union of the other ſort of *Puritans*, whom the Court was pleaſed to confound with them. 1642.

On the other Hand, Archbiſhop *Laud* and ſome other Court-Biſhops deviſed a Means which could not fail to afford them Opportunities to perſecute the *Puritans*. And this was to enjoin with great Rigour the Obſervance of certain Practices and Cuſtoms, which moſt People looked upon as indifferent. Nay, they added ſundry Innovations, which gave Offence not only to the *Presbyterians*, but alſo to many Church-of-*England* Men. This produced great Murmurings. But People were not ſatisfied with complaining only, they even ran into open Diſobedience, which afforded a Handle to puniſh. Hereby the Biſhops, who were the chief Authors of theſe Innovations, made themſelves odious to ſuch a Degree, that many believed they had juſt Reaſon to ſuſpect there was a Deſign to reſtore the *Popiſh* Religion, ſince the ſetting up theſe Innovations was taken ſo much at Heart, which ſeemed to tend only to draw the Church

1642. of *England* nearer to that of *Rome*. If to this Diſcontent be added that occaſioned by the King's Government with regard to the Liberties of the People and the Privileges of the Parliament, it will not be very hard to conceive that the Nation in general was extremely diſſatisfied.

Though, in this laſt Parliament there was a good Number of *Presbyterians* for the Reaſon above hinted, they were not however ſtrong enough to make a Party capable of oppoſing that of the Church, had they at firſt diſcovered their Intentions. So it may be affirmed, that in general, the Deſign of this Parliament, when they met, was not to overthrow the Church of *England*, and eſtabliſh *Presbyterianiſm* in its room, though it can ſcarce be doubted, but this was the private Aim of the *Presbyterians*. However, as their Number was too ſmall to run-counter to all the reſt of the Parliament, they reſolved to join cloſely with the oppoſite Party to the King, in procuring the Redreſs of Grievances. Among theſe Grievances, ſome related to Religion, as the Innovations which offended the Church-Men no leſs than the *Presbyterians* themſelves. Upon this Subject theſe laſt ſcrupled not to declaim ſtrenuouſly when occaſion offered, and to repreſent theſe Grievances as being of very dangerous Conſequence. They might do it without laying themſelves too open, becauſe, as I ſaid, moſt of the Members of Parliament were already prejudiced againſt the Innovations and the Conduct of the Biſhops. As the King was exceeding zealous for the Church of *England*, and of the Number of thoſe who conſidered the Innovations and ſome other Trifles as neceſſary to the Solemnity of the publick Worſhip, he oppoſed their Suppreſſion as much as poſſible, not directly, but by means of the Biſhops, *Popiſh* Lords in the Houſe of Peers, and others of his Party. And therefore the *Presbyterians* ſtrove to make all the reſt of the contrary Party ſenſible, that as long as the Biſhops ſhould ſit in the Houſe of Lords, it would be almoſt impoſſible to

come

come at an entire Redreſs of Grievances. The Houſe of *Commons* perſiſted therefore in managing it ſo, that the Biſhops Votes ſhould be taken away, wherein they met with great Obſtacles. But at length, by means of the Tumults they frightned them away, and induced them to give in the Proteſtation, which occaſioned the ſending of Twelve of them to the *Tower*. By the ſame means, the *Popiſh* Lords were likewiſe forced to abſent themſelves from the Parliament. From that time the King's Party became very weak, and the *Presbyterians* acquired new ſtrength. 1642.

The *Presbyterian* Party having gained ſo much Ground, diligently applied themſelves to cheriſh the Diſſention between the King and the Parliament. They were the Men that got the Remonſtrance of the State of the Kingdom paſſed, which was preſented to the King at his Return from *Scotland*, and was the Signal, as it were, of the Rupture. Unluckily, there was in the *Presbyterian* Party, another Party which concealed themſelves, and were afterwards known by the Name of *Independents*. This Party, as they could not accompliſh their ſecret Deſigns but amidſt Diſorder and Confuſion, affected a *rigid Preſbyterianiſm*, and ſtrove to carry things to Extremities, under colour of maintaining *Presbyterianiſm*, though in truth their Intention was to deſtroy it as well as the Church of *England*.

In the mean while, the King retiring to *York*, and perceiving that a War was unavoidable, ſent private Notice to all whom he thought his Well-wiſhers in both Houſes, to leave the Parliament and repair to *York* or elſewhere. Many obeyed, and by their withdrawing the *Presbyterian* Party carried all before them in the two Houſes. Before that time, whenever any thing was moved by the *Presbyterians* tending to the Subverſion of the Church of *England*, thoſe who had any regard for the Church did not fail to oppoſe it, and of this Number were all the King's Friends. But as ſoon as theſe were gone, the *Preſbyterian* Party became ſo ſuperior in both Houſes, that

1642. that every thing was passed they had a mind to. This is what the King observed in several Passages of his Answer above. Thus the *Presbyterian* Party prevailing in both Houses, and their private Aim being to alter the Church-Government, but the Thing being impracticable, as long as the King kept his Power, it is evident, that according to this Project it was the Parliament's Business, who were directed by the *Presbyterians*, carefully to avoid whatever tended to an Accommodation, which would have broken all their Measures. But they took care not to discover fully their Designs. It was not yet time, till they had put it out of the King's Power to prevent the Execution thereof. So, though they rendered their Fears and Jealousies with regard to the King as plausible as it was possible, and though it should be granted, they had reason to suspect and fear, yet is there room to think that the Danger they represented as being so near and imminent, was not so real as they would fain have made believe. Their grand Aim was to induce the King to begin the Breach, wherein the King seems not to perceive time enough, the Snare that was laid for him.

As for the King, it is almost impossible to know perfectly his secret Motives and Intentions, because, after the Opening of the Parliament, it was never in his Power to show them evidently enough by any Effects. It is true, he gave his Assent to several advantageous *Bills* to the People, and thereby seemed to express a kind of Repentance for his past Conduct. But the Situation he was in when he passed these *Acts* made it something doubtful whether he sincerely consented to the Redress of Grievances, or whether it was only to accommodate himself to the Times. He assured, that his Intention was to govern for the future according to Law, and called God to witness his Sincerity. But they would not rely on his Word. Thus much is certain, that whatever he said or did in favour of the Laws, was little consonant to the Principles he had followed for Fifteen Years. If any were

were perſuaded that his Aſſeverations and Promiſes were ſufficient for the Nation's Security, others thought they had juſt Cauſe to queſtion their Sincerity, becauſe they came at a time when he had no other Refuge but the Laws in order to ſupport himſelf, nor any other way but his Promiſe to obſerve them, in order to hinder the whole Nation from deſerting him. I ſhall not take upon me to decide ſo difficult a Queſtion, which is beyond the Reach of Man, there being none but God alone who knows perfectly what paſſes in the Heart. I do believe it to be ſomething raſh to affirm, that *Charles* I. was not ſincere in his Promiſes. But then I am of Opinion his Sincerity may be doubted, ſince he had never an Opportunity to demonſtrate it by Effects. 1642.

Let the King's private Intention be what it would, he fully perceived That of the prevailing Party in the Parliament, and ſaw that nothing but Force could free him from the Danger he was in. His Propoſals for an Accommodation were rejected, and his Promiſes to keep the Laws for the future conſidered as ſo many Snares, and unfortunately for him he had given but too much Cauſe for Diſtruſt. He could not diſown it with reſpect to what had paſſed before this Parliament, and even during this Parliament he had taken ſome Steps which his Enemies knew how to turn to their Advantage. Such was the Plot to ſeduce the Army, in which probably he had a Hand, though he could affirm he knew of no Reſolution to bring up the Army to *London*. Such was the Accuſation of the Six Members of Parliament, wherein one could not help ſuſpecting ſome hidden Deſign. The Project to ſecure *Hull*, his withdrawing to *York*, the Queen's Voyage into *Holland*, the Motive whereof was diſcovered in time, were Things that helped not to cure the People of their Suſpicions. So both Houſes ſteddily keeping to the Occaſions of Jealouſy, Fear and Diſtruſt, which they had or pretended to have with reſpect to the King, made uſe of them to convince the People that there was no depending

1642. ing upon his Promiſes, unleſs it was put out of his Power to break them. This is what gave riſe to the Buſineſs of the *Militia*, on account whereof the King was drawn into a Streight, from whence he could not get clear. For by granting the *Militia*, he would have been ſubſervient himſelf to the Execution of the Parliament's Deſigns, and by refuſing it, he gave occaſion to ſay, he would have brought both Houſes to an Accommodation, without giving them other Security than his Word, which, as they pretended, could not be relied upon. It is alſo true, that the King would not recede from any of his Rights, neither would he offer other Aſſurance than his Word, to ſatisfy the Parliament.

After what we have ſeen, it will not be hard to perceive the Ground of the Quarrel, and the Difficulties of an Accommodation. That relating to the Government of the Church, was one of the Principal, though it may not be fully ſet forth in the *Manifeſto*'s of both Parties. If the King's Intereſts had been only concerned, perhaps he would have agreed to ſome Conceſſions, at leaſt for a time. But he found that one chief Reaſon of his Enemies deſiring to leſſen his Authority, was, the more eaſily to come at a Change in the Eccleſiaſtical Government, which he thought himſelf bound in Conſcience to oppoſe to the utmoſt of his Power. He was ſo ſtrongly and ſo ſincerely attached to the Church of *England*, that he looked upon any Condeſcenſion which might tend to her Ruin, as the blackeſt Crime he could be guilty of, and perſiſted in this Opinion, even when his Affairs were grown deſperate. All his Counſellors were of the ſame Principles. They believed the Government of the Church by Biſhops ſo abſolutely neceſſary, that a Church without Biſhops was no true Church in their Opinion. On the other Hand, the *Presbyterians* were no leſs poſſeſſed with their Notions, and without diſtinguiſhing what is eſſential in Religion from what is only external, they conſidered the Uſages and Practices of the Church of *England* as a ſort of *Popery*.

Beſides,

Beſides, they were ſo convinced of the King's Averſion for them, that they could not think themſelves ſafe, as long as it was in his Power to oppreſs them. Matters ſtanding thus, it is evident that Force of Arms alone was capable of obliging one or other Party to give way. 1642.

A War being almoſt unavoidable, the Earl of *Briſtol*, though he had no great reaſon to be pleaſed with the King, made his laſt Eſſay to procure an Accommodation, by a Speech in the Houſe of Peers. He repreſented, that the Thing was not impoſſible, if it were ſet about heartily. After having enumerated all the Inconveniencies of a Civil War, and the Calamities it is uſually attended with, he moved the appointing a ſelect Committee of both Houſes, truly to ſtate all the Differences betwixt the King and the Parliament, with the moſt probable ways of reconciling them, what the King ought to do to ſatisfy the People, and what Security he ſhould give. He added ſeveral other Things, which plainly enough ſhowed he inclined to the King's Side, and becauſe withal he mentioned Religion but very ſlightly and in general Terms, his Speech had no great Effect. *The Earl of* Briſtol *in vain propoſes an Accommodation,* May 20. Ruſh. IV. p. 714.

The ſame Day or the next the Commons voted:

" 1. That it appeared, *That the King, ſeduced by* " *wicked Counſels, intended to make War againſt the* " *Parliament*, who in all their Conſultations and " Actions had propoſed no other End unto themſelves, but the Care of his Kingdoms, and the " Performance of all Duty and Loyalty to his " Perſon. *The Commons Votes.* Ibid. p. 717.

" 2. That whenſoever the King made War upon " the Parliament, it would be *a Breach of the Truſt* " repoſed in him by his People, contrary to his " Oath, and tending to the Diſſolution of the Go" vernment.

" 3. That whoſoever ſhould ſerve or *aſſiſt him in* " *ſuch Wars*, would be *Traitors* by the fundamental " Laws of the Kingdom; and had been ſo adjudged

" by

1642. " by two Acts of Parliament, and ought to ſuffer as " Traitors, 11 *Rich.* II. 1 *Hen.* IV. (*a*).

The King gets the Great-Seal.

May the 22d, the Lord Keeper *Littleton* delivered up the Great-Seal to be carried to the King and followed it himſelf the next Morning, before the Parliament had any Knowledge of it.

The Parliament's Petition to the King to disband his Forces. Ruſh. IV. p. 719. May 23.

The 23d Both Houſes ſent a Petition to the King to deſire him to disband the *Horſe* and *Foot* he had raiſed under Colour of a Guard for his Perſon. They told him, that if he did not diſmiſs theſe Forces, they ſhould be obliged to preſerve the Peace of the Kingdom by the moſt proper means. The King returned a very ſharp Anſwer to this Petition, reproaching both Houſes that they had raiſed a Guard for themſelves, and ordered all the *Sheriffs* to oppoſe with the *poſſe Comitatus*, all ſuch as ſhould come together by the King's Warrant.

The King's Anſwer. Ruſh. IV. p. 720.

A War, as I ſaid, was reſolved on both Sides; but however each Side ſtill uſed ſome Ceremony, in order to caſt the blame on the contrary Party. For in a Civil War it is chiefly the People that are wanted, becauſe in them lies the Strength of the two Parties. The Earl of *Briſtol* in his Speech to the Lords the 20th of *May*, obſerved that it was not impoſſible to ſtate the Differences betwixt the King and the Parliament; but the great Difficulty lay in finding ſuch Security, as might ſtand with the King's Honour, and the People's Satisfaction. He chiefly inſiſted, that as the King offered to give reaſonable Security, his Offer ought not to be rejected, and the Iſſue of the War taken upon themſelves. As this Offer, though made in very general Terms, ſeemed plauſible, the Parliament was apprehenſive it might make ſome Impreſſion upon the People. And therefore, they judged it neceſſary to ſhow that the King, by this general

(*a*) Theſe Votes were paſſed before the King's Anſwer to the Parliament's *Manifeſto*, and therefore are mentioned by him in that Anſwer.

general Offer, tendered however nothing but his Word for Security, which could not be a firm Foundation enough for a good Accommodation. To this End, they ſent him the ſecond of *June*, nineteen Propoſitions, which they looked upon as proper to eſtabliſh a good Peace and ſtrict Union between the King and the Parliament. The Propoſitions were theſe: 1642.

Nineteen Propoſitions ſent to the King by the Parliament. Ruſh. IV. p. 722. June 2.

'1. That the Lords, and others of your Majeſty's Privy-Council, and ſuch great Officers and Miniſters of State, either at home or beyond the Seas, may be put from your Privy-Council, and from thoſe Offices and Employments, excepting ſuch as ſhall be approved of by both Houſes of Parliament; and that the Perſons put into the Places and Employments of thoſe that are removed, may be approved of by both Houſes of Parliament; and that the Privy-Council ſhall take an Oath for the due Execution of their Places, in ſuch Forms as ſhall be agreed on by both Houſes of Parliament.

'2. That the great Affairs of this Kingdom may not be concluded or tranſacted by the Advice of Private Men, or by any unknown or unſworn Counſellors, but that ſuch Matters as concern the Publick, and are proper for the High-Court of Parliament, which is your Majeſty's great and ſupream Council, may be debated, reſolved, and tranſacted only in Parliament, and not elſewhere; and ſuch as ſhall preſume to do any Thing to the contrary, ſhall be reſerved to the Cenſure and Judgment of Parliament: And ſuch other Matters of State as are proper for your Majeſty's Privy-Council, ſhall be debated and concluded by ſuch of the Nobility and others, as ſhall from time to time be choſen for that Place, by Approbation of both Houſes of Parliament: And that no Publick Act concerning the Affairs of the Kingdom, which are proper for your Privy-Council, may be eſteemed of any Va-

'lidity,

1642 'lidity, as proceeding from the Royal Authority, 'unleſs it be done by the Advice and Conſent of the 'Major-part of the Council, atteſted under their 'Hands; And that your Council may be limited to 'a certain Number, not exceeding Five and Twenty, 'nor under Fifteen. And if any Counſellor's Place 'happen to be void in the Interval of Parliament, it 'ſhall not be ſupplied without the Aſſent of the 'Major-part of the Council; which Choice ſhall be 'confirmed at the next ſitting of Parliament, or elſe 'to be void.

'3. That the Lord High-Steward of *England*, 'Lord High Conſtable, Lord Chancellor, or Lord-'Keeper of the Great-Seal, Lord Treaſurer, Lord 'Privy-Seal, Earl-Marſhal, Lord Admiral, War-'den of the Cinque-Ports, Chief Governour of *Ire-'land*, Chancellor of the Exchequer, Maſter of the 'Wards, Secretaries of State, two Chief Juſtices and 'Chief-Baron, may be always choſen with the Ap-'probation of both Houſes of Parliament, and in the 'Intervals of Parliament, by Aſſent of the Major-'part of the Council, in ſuch manner as is before ex-'preſſed in the Choice of Counſellors.

'4. That he or they unto whom the Government 'and Education of the King's Children ſhall be com-'mitted, ſhall be approved of by both Houſes of 'Parliament; and in the Intervals of Parliament, by 'the Aſſent of the Major-part of the Council, in ſuch 'manner as is before expreſſed in the Choice of 'Counſellors; and that all ſuch Servants as are now 'about them, againſt whom both Houſes have any 'juſt Exceptions, ſhall be removed.

'5. That no Marriage ſhall be concluded, or treat-'ed for any of the King's Children, with any Fo-'reign Prince or other Perſon whatſoever, abroad 'or at home, without the Conſent of Parliament, 'under the Penalty of a *Premunire*, upon ſuch as 'ſhall conclude, or treat of any Marriage as aforeſaid; 'and that the ſaid Penalty ſhall not be pardoned or

'diſpenſed

'diſpenſed with, but by the Conſent of both Houſes 1642.
'of Parliament.

'6. That the Laws in force againſt Jeſuits, Prieſts, 'and Popiſh Recuſants, be ſtrictly put in Execution, 'without any Toleration or Diſpenſation to the con-'trary; and that ſome more effectual Courſe may 'be enacted by Authority of Parliament, to diſable 'them from making any Diſturbance in the State, or 'eluding the Law by Truſts, or otherwiſe.

'7. That the Votes of Popiſh Lords in the Houſe 'of Peers may be taken away, ſo long as they con-'tinue Papiſts; And that your Majeſty will conſent 'to ſuch a Bill as ſhall be drawn for the Education of 'the Children of Papiſts by Proteſtants, in the Pro-'teſtant Religion.

'8. That your Majeſty will be pleaſed to con-'ſent, that ſuch a Reformation be made of the 'Church-Government, and Liturgy, as both Houſes 'of Parliament ſhall adviſe; wherein they intend to 'have Conſultations with Divines, as is expreſſed in 'their Declaration to that Purpoſe; and that your 'Majeſty will contribute your beſt Aſſiſtance to 'them, for the raiſing of a ſufficient Maintainance 'for Preaching-Miniſters through the Kingdom; 'and that your Majeſty will be pleaſed to give your 'Conſent to Laws for the taking away Innovations 'and Superſtition, and Pluralities, and againſt ſcan-'dalous Miniſters.

'9. That your Majeſty will be pleaſed to reſt ſa-'tisfied with that Courſe that the Lords and Com-'mons have appointed for ordering of the *Militia*, 'untill the ſame ſhall be farther ſettled by a Bill, 'and that your Majeſty will recal your Declaration 'and Proclamations againſt the Ordinance made by 'the Lords and Commons concerning it.

'10. That ſuch Members of either Houſe of Par-'liament, as have, during the preſent Parliament, 'been put out of any Place or Office, may either be 'reſtored to that Place and Office, or otherwiſe have

1642. ‘ Satisfaction made for the ſame, upon the Petition of ‘ that Houſe whereof he or they are Members.

‘ 11. That all Privy-Counſellors and Judges may ‘ take an Oath, the Form whereof to be agreed on, ‘ and ſettled by Act of Parliament, for the main- ‘ taining of the Petition of Right, and of certain ‘ Statutes made by this Parliament, which ſhall be ‘ mentioned by both Houſes of Parliament; and ‘ that an Enquiry of all the Breaches and Violations ‘ of thoſe Laws may be given in Charge by the Juſ- ‘ tices of the King's-Bench every Term, and by the ‘ Judges of Aſſize in their Circuits, and Juſtices of ‘ the Peace at the Seſſions, to be preſented and pu- ‘ niſhed by Law.

‘ 12. That all the Judges, and all the Officers pla- ‘ ced by Approbation of both Houſes of Parliament, ‘ may hold their Places, *quamdiu bene ſe geſſerint.*

‘ 13. That the Juſtice of Parliament may paſs up- ‘ on all Delinquents, whether they be within the ‘ Kingdom, or fled out of it; and that all Perſons ‘ cited by either Houſe of Parliament, may appear ‘ and abide the Cenſure of Parliament.

‘ 14. That the general Pardon offered by your ‘ Majeſty may be granted, with ſuch Expreſſions as ‘ ſhall be adviſed by both Houſes of Parliament.

‘ 15. That the Forts and Caſtles of this Kingdom ‘ may be put under the Command and Cuſtody of ‘ ſuch Perſons as your Majeſty ſhall appoint, with ‘ the Approbation of your Parliament; and in the ‘ Intervals of Parliament, with the Approbation of ‘ the Major-part of the Council, in ſuch manner as ‘ is before expreſſed in the Choice of Counſellors.

‘ 16. That the extraordinary Guards, and Military ‘ Forces now attending your Majeſty, may be re- ‘ moved and diſcharged; and that for the future you ‘ will raiſe no ſuch Guards or extraordinary Forces, ‘ but according to the Law, in Caſe of actual Rebel- ‘ lion or Invaſion.

‘ 17. That your Majeſty will be pleaſed to enter ‘ into a more ſtrict Alliance with the States of the

‘ *United*

'*United Provinces*, and other neighbour Princes 1642.
'and States of the Proteſtant Religion, for the De-
'fence and Maintainance thereof, againſt all the De-
'ſigns and Attempts of the Pope and his Adherents
'to ſubvert and ſuppreſs it, whereby your Majeſty will
'obtain a great Acceſs of Strength and Reputation,
'and your Subjects be much more encouraged and
'enabled, in a Parliamentary Way, for your Aid
'and Aſſiſtance, in reſtoring your Royal Siſter and
'her Princely Iſſue to thoſe Dignities and Dominions
'which belong unto them, and relieving the other
'Proteſtant Princes who have ſuffered in the ſame
'Cauſe.

'18. That your Majeſty will be pleaſed by Act
'of Parliament, to clear the Lord *Kimbolton*, and
'the five Members of the Houſe of Commons, in
'ſuch manner, that all future Parliaments may be
'ſecured from the Conſequence of that evil Pre-
'cedent.

'19. That your Majeſty will graciouſly be pleaſed
'to paſs a Bill for reſtraining Peers made hereafter,
'from ſitting or voting in Parliament, unleſs they be
'admitted thereunto with the Conſent of both Hou-
'ſes of Parliament.

'And theſe our humble Deſires being granted by
'your Majeſty, we ſhall forthwith apply our ſelves
'to regulate your preſent Revenue, in ſuch ſort as
'may be for your beſt Advantage; and likewiſe to
'ſettle ſuch an ordinary and conſtant increaſe of it,
'as ſhall be ſufficient to ſupport your Royal Dignity
'in Honour and Plenty, beyond the Proportion of
'any former Grants of the Subjects of this Kingdom
'to your Majeſty's Royal Predeceſſors. We ſhall
'likewiſe put the Town of *Hull* into ſuch Hands as
'your Majeſty ſhall appoint, with the Conſent and
'Approbation of Parliament, and deliver up a
'juſt Account of all the Magazine; and chearfully
'imploy the uttermoſt of our Power and Endeavours
'in the real Expreſſion and Performance of our moſt

1642. ‘ dutiful and Loyal Affections, to the preſerving and ‘ maintaining the Royal Honour, Greatneſs and Safe- ‘ ty of your Majeſty and your Poſterity.’

The King made to theſe Propoſitions, a long Anſwer, that is to ſay, with ſo long Periods, and ſo frequent Parentheſes, that it is no eaſy Task to tranſlate it without loſing ſomething of its Force.

The KING's ANSWER *to the Nineteen Propoſitions.*

Ruſh. IV. p. 725. ‘ BEfore we ſhall give you our Anſwer to your ‘ Petition and Propoſitions, we ſhall tell you, ‘ That we are now clearly ſatisfied, why the Me- ‘ thod which we traced out to you by our Meſſage ‘ of the 20th of *January*, and have ſo often preſſed ‘ upon you, as the proper way to compoſe the Di- ‘ ſtractions of this Kingdom, and render it truly ‘ happy, hath been hitherto declined, and is at ‘ length not thought fit to be looked upon. We ‘ now plainly ſee, (and deſire that you and all other ‘ our good Subjects ſhould do ſo too) that the Caba- ‘ liſts of this Buſineſs have with great Prudence re- ‘ ſerved themſelves, until due Preparations ſhould ‘ be made for their Deſign. If they had unſeaſona- ‘ bly vented ſuch Propoſitions, as the Wiſdom and ‘ Modeſty of your Predeceſſors never thought fit to ‘ offer to any of our Progenitors; nor we in Honour ‘ or Regard to our Royal Authority, (which God ‘ hath intruſted us with for the good of our People) ‘ could receive without juſt Indignation (and ſuch ‘ many of your preſent Propoſitions are) their Hopes ‘ would ſoon have been blaſted, and thoſe Perſons to ‘ whom Offices, Honours, Power and Commands ‘ were deſigned, by ſuch ill-timing of their Buſineſs, ‘ would have failed of their Expectation, not with- ‘ out a Brand upon the Attempt. Therefore, be- ‘ fore

'fore any Thing of this Nature ſhould appear, they 1642.
'have (certainly with great Wiſdom in the Conduct
'of it) thought fit to remove a troubleſome Rub in
'their way, the Law; to this End, (that they might
'undermine the very Foundations of it) a new Power
'hath been aſſumed to interpret and declare Laws
'without us by extemporary Votes, without any Caſe
'judicially before either Houſe, (which is in Effect
'the ſame Thing as to make Laws without us) Or-
'ders and Ordinances made only by both Houſes,
'(tending to a pure Arbitrary Power) were preſſed
'upon the People as Laws, and their Obedience re-
'quired to them.

'Their next Step was, to erect an upſtart Autho-
'rity without us (in whom, and only in whom the
'Laws of this Realm have placed that Power) to
'command the *Militia*, (very conſiderable to this
'their Deſign.) In farther Order to it, they have
'wreſted from us our Magazine and Town of *Hull*,
'and abetted Sir *John Hotham* in his bold-faced
'Treaſon. They have prepared and directed to the
'People unprecedented Invectives againſt our Go-
'vernment, thereby (as much as lay in their Power)
'to weaken our juſt Authority and due Eſteem a-
'mong them; they have as injuriouſly, as preſump-
'tuouſly, (though we conceive by this time, Impu-
'dence it ſelf is aſhamed of it) attempted to caſt
'upon us Aſperſions of an unheard-of Nature, as if
'we had favoured a Rebellion in our own Bowels.
'They have likewiſe broached a new Doctrine, That
'we are obliged to paſs all Laws that ſhall be offer-
'ed to us by both Houſes, (howſoever our own
'Judgment and Conſcience ſhall be unſatisfied with
'them) a Point of Policy as proper for their preſent
'Buſineſs, as deſtructive to all our Rights of Parlia-
'ment, and ſo with ſtrange Shameleſſneſs will for-
'get a Clauſe in Law ſtill in Force, made in the ſe-
'cond Year of King *Henry* V. wherein both Houſes
'of Parliament do acknowledge, That it is of the
'King's Regality to grant or deny ſuch of their Pe-

1642. ‘ titions as pleaſeth himſelf. They have interpreted ‘ our neceſſary Guard, legally aſſembled, for the ‘ Defence of us and our Children's Perſons, againſt a ‘ Traitor in open Rebellion againſt us (*a*), to be with ‘ intent to levy War againſt the Parliament, (the ‘ Thought whereof our very Soul abhorreth) there- ‘ by to render us odious to the People.

‘ They have ſo awed our good Subjects with Pur- ‘ ſevants, long chargeable Attendances, heavy Cen- ‘ ſures, and illegal Impriſonments, that few of them ‘ durſt offer to preſent their Tenderneſs of our Suf- ‘ ferings, their own juſt Grievances, and their Senſe ‘ of thoſe Violations of the Law, (the Birth-right of ‘ every Subject in this Kingdom) though in an hum- ‘ ble Petition directed to both Houſes; and if any ‘ did, it was ſtifled in the Birth, called *Sedition*, and ‘ burnt by the common Hangman.

‘ They have reſtrained the Attendance of our or- ‘ dinary and neceſſary Houſhold Servants (*b*), and ‘ ſeized upon thoſe ſmall Sums of Money, which our ‘ Credit had provided to buy us Bread, with Injunc- ‘ tions that none ſhould be ſuffered to be conveyed, ‘ or returned to us at *York*, or any of our Peers or ‘ Servants with us; ſo that (in effect) they have ‘ blocked us up in that County.

‘ They have filled the Ears of the People with the ‘ Noiſe of Fears and Jealouſies, (though taken up ‘ upon Truſt) Tales of Skippers, Salt-Fleets, and ‘ ſuch like, by which Alarms they might prepare ‘ them to receive ſuch Impreſſions as might beſt ad- ‘ vance this Deſign when it ſhould be ripe. And ‘ now it ſeems they think we are ſufficiently prepared ‘ for theſe bitter Pills. We are in a handſome Poſ- ‘ ture to receive theſe humble Deſires (which pro- ‘ bably are intended to make way for a Superfetation ‘ of a (yet) higher Nature, if we had not made ‘ this Diſcovery to you) for they do not tell us this ‘ is

(*a*) Sir *John Hotham*.

(*b*) The Earls of *Eſſex* and *Holland*.

'is all. In them we muſt obſerve, that theſe Contri- 1642.
'vers (the better to advance their true Ends) diſ-
'guiſed as much as they could their Intents, with a
'Mixture of ſome things really to be approved by
'every honeſt Man, others, ſpecious and popular:
'and ſome which are already granted by us, all
'which are cunningly twiſted together, and mixed
'with thoſe other things of their main Deſign of
'Ambition and private Intereſt; in hope, that at the
'firſt View, every Eye may not ſo clearly diſcern
'them in their proper Colours.

'We would not be underſtood, that we intend to
'fix this Deſign upon both or either Houſe of Par-
'liament: We utterly profeſs againſt it, being moſt
'confident of the Loyalty, good Affections and In-
'tegrity of the Intentions of that great Body; and
'knowing well, that very many of both Houſes
'were abſent, and many diſſented from all thoſe Par-
'ticulars we complain of: But we do believe, and ac-
'cordingly profeſs to all the World, that the Malig-
'nity of this Deſign (as dangerous to the Laws of
'this Kingdom, the Peace of the ſame, and the Li-
'berties of all our good Subjects, as to our Self and
'our juſt Prerogative) hath proceeded from the ſub-
'tle Informations, miſchievous Practices, and evil
'Councils of ambitious turbulent Spirits, diſſatisfied
'to God's true Religion, and the Unity of the Pro-
'feſſors thereof, our Honour and Safety, and the
'publick Peace and Proſperity of our People, not
'without a ſtrong Influence upon the very Actions of
'both Houſes. But how falty ſoever others are, we
'ſhall (with God's Aſſiſtance) endeavour to diſ-
'charge our Duty with Uprightneſs of Heart; and
'therefore, ſince theſe Propoſitions come to us in the
'Name of both Houſes of Parliament, we ſhall
'take a more particular notice of every one of
'them.

'If the 1ſt, 2d, 3d, 4th, 5th, 9th, 10th, 15th,
'19th Demands had been writ and printed in a
'Tongue unknown to us and our People, it might

1642. ‘ have been possible we and they might have charitably believed the Propositions to be such as might ‘ have been in order to the Ends pretended in the Petition (to wit) the establishing of our Honour and ‘ Safety, the Welfare and Security of our Subjects ‘ and Dominions, and the removing those Jealousies ‘ and Differences, which are said to have unhappily ‘ fallen betwixt us and our People, and procuring ‘ both us and them a constant Course of Honour, ‘ Peace and Happiness: But being read and understood by all, we cannot but assure our Self, that ‘ this Profession, joined to these Propositions, will ‘ rather appear a Mockery and a Scorn, the Demands being such; as though we were unworthy of ‘ the Trust reposed in us by the Law, and of our ‘ Descent from so many great and famous Ancestors, ‘ if we could be brought to abandon that Power, ‘ which only can enable us to perform what we are ‘ sworn to in protecting our People and the Laws, ‘ and so assume others into it, as to devest our self ‘ of it, although not only our present Condition ‘ (which it can hardly be) were more necessitous ‘ than it is, and we were both vanquished and a Prisoner, and in a worse Condition than ever the most ‘ unfortunate of our Predecessors have been reduced ‘ to by the most criminal of their Subjects. And ‘ though the Bait laid to draw us to it, and to keep ‘ our Subjects from Indignation at the mention of it, ‘ the Promises of a plentiful and unparallelled Revenue were reduced from Generals (which signify ‘ nothing) to clear and certain Particulars; since ‘ such a Bargain would have but too great a Resemblance of that of *Esau*'s, if we should part with ‘ the Flowers of a Crown, as are worth all the rest ‘ of the Garland, and have been transmitted to us ‘ from so many Ancestors, and have been found so ‘ useful and necessary for the Welfare and Security of ‘ our Subjects, for any present Necessity, or for any ‘ low and sordid Considerations of Wealth and Gain. ‘ And therefore all Men knowing that those Accom-

‘ modations

'modations are moſt eaſily made, and moſt exactly ob- 1642.
'ſerved, that are grounded upon reaſonable and equal
'Conditions, we have great Cauſe to believe that the
'Contrivers of theſe had no Intention of ſettling any
'firm Accommodation, but to increaſe thoſe Jea-
'louſies, and widen that Diviſion, which (not by our
'fault) is now happily fallen between us and both
'Houſes.

'It is asked, That all the Lords and others of our
'Privy-Council, and ſuch (we know not what you
'mean by ſuch, but we have cauſe to think you
'mean all) great Officers and Miniſters of State,
'either at home or beyond the Seas, (for care is
'taken to leave out no Perſon or Place, that our
'Diſhonour may be ſure not to be bounded within
'this Kingdom, though no ſubtle Inſinuations at
'ſuch a Diſtance can probably be believed to have
'been the Cauſe of our Diſtractions and Danger)
'ſhould be put from our Privy-Council, and from
'thoſe Offices and Employments, unleſs they be ap-
'proved by both Houſes of Parliament, how faith-
'ful ſoever we have found them to us and the Pub-
'lick, and how far ſoever they have been from
'offending againſt any Law, the only Rule they had,
'or any others ought to have to walk by. We
'therefore to this part of this Demand return you
'this Anſwer, That we are willing to grant, that
'they ſhall take a larger Oath than your ſelves deſire
'in your 11th Demand, for maintaining not of any
'part, but of the whole Law (1); and we have and
'do aſſure you, that we will be careful to make Elec-
'tion of ſuch Perſons in thoſe Places of Truſt as
'ſhall have given good Teſtimony of their Abilities
'and Integrities, and againſt whom there can be no
'juſt Cauſe of Exception whereon reaſonably to ground

REMARK (1). *This is ſaid, becauſe in the whole Body of the Law were contained thoſe Laws which aſcribed to the King the Prerogatives they had a mind to deprive him of.*

'a Dif-

1642. ‘ a Diffidence; that if we have or ſhall be miſtaken
‘ in our Election, we have and do aſſure you, that
‘ there is no Man ſo near to us in Place or Affection,
‘ whom we will not leave to the Juſtice of the Law,
‘ if you ſhall bring a particular Charge and ſufficient
‘ Proofs againſt him; and that we have given you
‘ (the beſt Pledge of the Effects of ſuch a Promiſe
‘ on our Part, and the beſt Security for the Perform-
‘ance of their Duty on theirs) a Triennial Parlia-
‘ment, the Apprehenſion of whoſe Juſtice will in all
‘ probability make them wary how they provoke it,
‘ and us wary how we charge ſuch, as by the Diſco-
‘ very of their Faults may in any degree ſeem to diſ-
‘ credit our Election, but that without any ſhadow
‘ of a Fault objected, only perhaps becauſe they fol-
‘ low their Conſciences, and preſerve the eſtabliſhed
‘ Laws, and agree not in ſuch Votes, or aſſent not
‘ unto ſuch Bills, as ſome Perſons, who have now
‘ too great an Influence even upon both Houſes,
‘ judge, or ſeem to judge to be for the publick Good,
‘ and as are agreeable to that new *Utopia* of Religion
‘ and Government, into which they endeavour to
‘ transform this Kingdom (2): For we remember
‘ what Names, and for what Reaſons you left out in
‘ the Bill offered us concerning the Militia, which
‘ you had your ſelves recommended in the Ordi-
‘ nance: We will never conſent to the diſplacing of
‘ any, whom for their former Merits from, and Af-
‘ fection to us and the Publick, we have intruſted,
‘ ſince we conceive that to do ſo would take away
‘ both from the Affection of our Servants, the Care
‘ of our Service, and the Honour of our Juſtice;
‘ and we the more wonder it ſhould be asked by
‘ you of us, ſince it appears by the 12th Demand,
‘ that you your ſelves count it reaſonable, after the
‘ preſent Turn is ſerved, that the Judges and Offi-
‘ cers who are then placed, may hold their Places

REM. (2). *This alludes to Sir* Thomas Moor's Utopia.

‘ *quamdiu*

'*quamdiu ſe bene geſſerint*; and we are reſolved to be 1642.
'as careful of thoſe we have choſen, as you are of
'thoſe you would chooſe, and to remove none till
'they appear to us to have otherwiſe behaved them-
'ſelves, or ſhall be evicted by legal Proceedings to
'have done ſo.

'But this Demand, as unreaſonable as it is, is but
'one Link of a great Chain, and but the firſt
'Round of that Ladder, by which our juſt, antient,
'regal Power is endeavoured to be fetched down to
'the Ground. For it appears plainly, that it is not
'with the Perſons now choſen, but with our chuſing
'that you are diſpleaſed; for you demand, that the
'Perſons put into the Places and Employments of
'thoſe who ſhall be removed, may be approved by
'both Houſes; which is ſo far (as to ſome at firſt
'ſight it may appear) from being leſs than the
'Power of Nomination, that of two things (of
'which we will never grant either) we would
'ſooner be content that you ſhould nominate and we
'approve, than you approve and we nominate; the
'mere Nomination being ſo far from being any thing,
'that if we could do no more, we would never take
'the Pains to do that, when we ſhall only hazard
'thoſe whom we eſteemed, to the Scorn of a Refuſal,
'if they happened not to be agreeable, not only to
'the Judgment, but to the Paſſion, Intereſt or Hu-
'mour of the preſent Major-part of either Houſe.

'Not to ſpeak now of the great Factions, Ani-
'moſities and Diviſions which this Power would in-
'troduce in both Houſes, between both Houſes, and
'in the ſeveral Counties, for the Choice of Perſons
'to be ſent to that Place where that Power was, and
'between thoſe Perſons that were ſo choſen. Neither
'is this ſtrange Potion preſcribed to us only for once,
'for the Cure of a preſent preſſing deſperate Diſeaſe;
'but for a Diet to us and our Poſterity, it is de-
'manded, that our Counſellors, all chief Officers,
'both of Law and State, Commanders of Forts and
'Caſtles, and all Peers hereafter made (as to voting

'without

1642. ‘ without which, how little is the reſt?) be approved ‘ of (that is choſen) by them from time to time ; ‘ and rather than it ſhould ever be left to the Crown, ‘ (to whom it doth and ſhall belong) if any Place ‘ fall void in the Intermiſſion of Parliament, the ‘ Major-part of the approved Council is to approve ‘ them ; neither is it only demanded, That we ſhould ‘ quit the Power and Right our Predeceſſors had of ‘ appointing Perſons in theſe Places, but for Coun- ‘ ſellors we are to be reſtrained, as well in the Num- ‘ ber as in the Perſons, and a Power muſt be annexed ‘ to theſe Places, which their Predeceſſors had not ; ‘ and indeed, if this Power was paſt to them, it were ‘ not fit we ſhould be truſted to chuſe thoſe who were ‘ to be truſted as much as we.

‘ It is demanded, that ſuch Matters as concern the ‘ Publick, and are proper for the High Court of Par- ‘ liament (which is our great and ſupreme Council) ‘ may be debated, reſolved and tranſacted only in ‘ Parliament, and not elſewhere, and ſuch as pre- ‘ ſume to do any thing to the contrary, ſhall be re- ‘ ſerved to the Cenſure and Judgment of the Parlia- ‘ ment ; and ſuch other Matters of State, as are pro- ‘ per for our Privy-Council, ſhall be debated and ‘ concluded by ſuch of Our Nobility (though indeed ‘ if being made by us they may not vote without the ‘ conſent of both Houſes, we are rather to call them ‘ Your Nobility) and others, as ſhall be from time ‘ to time choſen for that Place, by Approbation of ‘ both Houſes of Parliament ; and that no publick ‘ Act concerning the Affairs of the Kingdom, which ‘ are proper for our Privy-Council, may be eſteemed ‘ of any Validity, as proceeding from the Royal ‘ Authority, unleſs it be done by the Advice and ‘ Conſent of the Major-part of our Council, atteſted ‘ under their Hands : which Demands are of that ‘ nature, that to grant them were in effect at once to ‘ depoſe both our Self and our Poſterity.

‘ Theſe

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'These being past, we may be waited on bare-headed, we may have our Hand kissed, the Stile of Majesty continued to us, and the King's Authority declared by both Houses of Parliament may be still the Stile of your Commands; we may have Swords and Maces carried before us, and please our Self with the Thoughts of a Crown and Scepter; (and yet even these Twigs would not long flourish, when the Stock upon which they grew were dead) but as to true and real Power, we should remain but the Outside, but the Picture, but the Sign of a King. We were ever willing that our Parliament should debate, resolve and transact such Matters as are proper for them, as far as they are proper for them; and we heartily wish, that they would be as careful not to extend their Debates and Resolutions beyond what is proper to them, that Multitudes of things punishable, and Cases determinable by the Ordinary Judicatures, may not be entertained in Parliament, and so cause a long, chargeable and fruitless Attendance of our People, and (by degrees) draw to you as well all the Causes, as all the Faults of *Westminster-Hall*, and divert your proper Business: That the Course of Law be no ways diverted, much less disturbed, as was actually done by the Stop of the Proceedings against a Riot in *Southwark*, by Order of the House of Commons, in a Time so riotous and tumultuous, as much increased the Danger of popular Insolencies by such a Countenance to Riots, and Discountenance of Law: That you descend not to the Leasure of recommending Lecturers to Churches, nor ascend to the Legislative Power, by commanding (the Law not having yet commanded it) that they whom you recommend be received, although neither the Parson nor Bishop do approve of them; and that the Refusers (according to the Course so much formerly complained of to have been used at the Council-Table) be not sent for to attend to shew Cause at least, that you would consider Conveni-

1642. ‘ency, if not Law, and recommend none but who ‘are well known to you to be Orthodox, Learned ‘and Moderate, or at leaſt ſuch as have taken Or‘ders, and are not notorious Depravers of the Book ‘of Common-Prayer; a Care which appeareth by ‘the Diſcourſes, and Sermons, and Perſons of ſome ‘recommended by you, not to have been hitherto ‘taken; and it highly concerns both you in Duty, ‘and the Commonwealth in the Conſequences, that ‘it ſhould have been taken: That neither one Eſtate ‘tranſact what is proper for Two, nor Two what is ‘proper for Three; and conſequently, that (con‘trary to our declared Will) our Forts may not be ‘ſeized, our Arms may not be removed, our Monies ‘may not be ſtopt, our legal Directions may not be ‘countermanded by you, nor we deſire to counter‘mand them our Self; nor ſuch Entrances made ‘upon a real War againſt us, upon pretence of an ‘imaginary War againſt you, and a Chimera of Ne‘ceſſity. So far do you paſs beyond your Limits, ‘whilſt you ſeem by your Demand to be ſtrangely ‘ſtraitned within them; at leaſt we could have ‘wiſhed you would have expreſſed what Matters you ‘meant as fit to be tranſacted only in Parliament, ‘and what you meant by only in Parliament.

‘You have of late been perſuaded, by the new ‘Doctrine of ſome few, to think that proper for ‘your Debates, which hath not uſed to be at all de‘bated within thoſe Walls, but been truſted wholly ‘with our Predeceſſors and us; and to tranſact thoſe ‘Things, which without the Regal Authority, ſince ‘there were Kings of this Kingdom, were never ‘tranſacted: It therefore concerns us the more, that ‘you ſpeak out, and that both we and our People ‘may either know the Bottom of your Demands, or ‘know them to be bottomleſs. What concerns ‘more the Publick, and is more (indeed) proper ‘for the High-Court of Parliament, than the making ‘of Laws, which not only ought there to be tran‘ſacted, but can be tranſacted no where elſe? But

‘then

1642.

'then you muſt admit us to be a Part of the Parliament; you muſt not (as the Senſe is of this part of the Demand, if it have any) deny the Freedom of our Anſwer, when we have as much Right to reject what we think unreaſonable, as you have to propoſe what you think convenient or neceſſary: Nor is it poſſible our Anſwers, either to Bills, or any other Propoſitions, ſhould be wholly free, if we may not uſe the Liberty of every one of you, and of every Subject, to receive Advice (without their Danger who ſhall give it) from any Perſon, known or unknown, ſworn or unſworn, in theſe Matters, in which the Manage of our Vote is truſted by the Law to our own Judgment and Conſcience; which how beſt to inform, is (and ever ſhall be) left likewiſe to us: And moſt unreaſonable it were, that Two Eſtates propoſing ſomething to the Third, that Third ſhould be bound to take no Advice, whether it were fit to paſs, but from thoſe two that did propoſe it. We ſhall ever in theſe things, which are truſted wholly to us by the Law, not decline to hearken to the Advice of our great Council, and ſhall chuſe to hear willingly the free Debates of our Privy-Council, (whenſoever we may be ſuffered to have them for ſending for, and they ſhall not be terrified from that Freedom of Votes, and Brands of Malignants and Enemies to the State, for adviſing what no Law forbids to adviſe) but we will retain our Power, of admitting no more to any Council than the Nature of the Buſineſs requires, and of diſcourſing with whom we pleaſe, of what we pleaſe, and informing our Underſtanding by Debate with any Perſons, who may be well able to inform and adviſe us in ſome Particulars, though their Qualities, Education, or other Abilities, may not make them ſo fit to be of our ſworn Council; and not tie our Self up not to hear any more than Twenty-five (and theſe not choſen abſolutely by us) out of a Kingdom ſo repleniſhed with judicious and experienced Perſons

'of

1642. ‘ of ſeveral kinds. And though we ſhall (with the
‘ proportionable Conſideration due to them) always
‘ weigh the Advices both of our Great and Privy-
‘ Council, yet we ſhall alſo look upon their Advices
‘ as Advices, not as Commands or Impoſitions;
‘ upon them as our Counſellors, not as our Tutors
‘ and Guardians; and upon our Self as their King,
‘ not as their Pupil or Ward: For whatſoever of
‘ Regality were, by the Modeſty of Interpretation
‘ left us, in the firſt Part of the ſecond Demand, as
‘ to the Parliament, is taken from us in the ſecond
‘ Part of the ſame, and placed in this new-fangled
‘ kind of Counſellors, whoſe Power is ſuch, and ſo
‘ expreſſed by it, that in all publick Acts concerning
‘ the Affairs of this Kingdom, which are proper for
‘ our Privy-Council, (for whoſe Advice all publick
‘ Acts are ſometimes proper, though never neceſſary)
‘ they are deſired to be admitted joint Patentees with
‘ us in the Regality; and it is not plainly expreſſed
‘ whether they mean us ſo much as a ſingle Vote in
‘ theſe Affairs; but it is plain they mean us no more
‘ at moſt, than a ſingle Vote in them, and no more
‘ Power than every one of the reſt of our Privy-
‘ Counſellors; only leave to us, out of their Reſ-
‘ pect and Duty, (and that only is left of all our
‘ antient Power) a Choice, whether theſe that are
‘ thus to be joined with (or rather ſet over) us, ſhall
‘ be Fifteen or Twenty-five: And great care is
‘ taken that the Oath which theſe Men ſhall take,
‘ ſhall be ſuch, in the framing the Form of which
‘ (tho' ſure we are not wholly unconcerned in it) we
‘ may be wholly excluded, and that wholly reſerved
‘ to be agreed upon by both Houſes of Parliament.

‘ And to ſhew that no more care is taken of our
‘ Safety, than of our Power, after ſo great Indigni-
‘ ties offered to us, and countenanced by thoſe who
‘ were moſt obliged to reſent them: After our
‘ Town and Fort kept from us, (from which, if it
‘ were no otherwiſe ours, than the whole Kingdom is,
‘ we can no more legally be kept out, than out of

‘ our

'our whole Kingdom, which ſure your ſelves will 1642.
'not deny to be Treaſon) our Arms, our Goods
'ſent away, and our Money ſtopped from us, our
'Guards (in which we have no other Intention, than
'to hinder the End of theſe Things from being pro-
'portionable to their Beginnings) are not only deſired
'to be diſmiſſed before Satisfaction for the Injury,
'Puniſhment of the Injurors, and Care taken for
'our future Security from the like. But it is like-
'wiſe deſired (and for this Law is pretended, and
'might as well have been for the reſt, which yet with
'ſome Ingenuity are it ſeems acknowledged to be
'but Deſires of Grace) that we ſhall not for the fu-
'ture raiſe any Guards, or extraordinary Forces, but
'in Caſe of actual Rebellion or Invaſion; which if
'it had been Law, and ſo obſerved in the Time of
'our Predeceſſors, few of thoſe Victories, which
'have made theſe Nations famous in other Parts,
'could have been legally atchieved: Nor could our
'bleſſed Predeceſſor *Queen Elizabeth*, have ſo defend-
'ed herſelf in Eighty-eight. And if no Forces
'muſt be levied till Rebellions and Invaſions (which
'will not ſtay for the calling of Parliaments, and
'their Conſent for raiſing of Forces) be actual,
'they muſt undoubtedly (at leaſt moſt probably) be
'effectual and prevalent.

'And as neither Care is taken for our Rights, Ho-
'nour, nor Safety as a Prince; ſo our Rights, as a
'private Perſon, are endeavoured to be had from
'us; it being asked, that it may be unlawful and
'puniſhable, not only to conclude, but even to treat of
'any Marriage with any Perſon for our own Children,
'or to place Governours about them without Con-
'ſent of Parliament; and in the Intermiſſion of
'theſe, without the Conſent of our good Lords of
'the Council; that we may not only be in a more
'deſpicable State than any of our Predeceſſors, but
'in a meaner and viler Condition than the loweſt of
'our Subjects, who value no Liberty they have
'more, than that of the free Education and Marri-
'age

1642. ‘ age of their Children, from which we are asked to ‘ debarr our Self; and have the more Reaſon to take ‘ it ill that we are ſo, becauſe of our Choice of a ‘ Governour for our Son, and a Husband for our ‘ Daughter, (in which the Proteſtant Religion was ‘ our Principal Conſideration) we conceived we had ‘ reaſon to expect your preſent Thanks, and the en- ‘ creaſe of your future Truſts.

‘ We ſuppoſe theſe Demands by this Time, to ‘ appear ſuch as the Demanders cannot be ſuppoſed ‘ to have any ſuch real Fear of us as hath been long ‘ pretended; they are too much in the Stile not only ‘ of Equals, but of Conquerors; and as little to be ‘ intended for removing of Jealouſies, (for which ‘ End they are ſaid to be asked; and that is not as ‘ Merchants ask at firſt, much more than they will ‘ take, but at moſt neceſſary to effect it, which (if ‘ they be) God help this poor Kingdom, and thoſe ‘ who are in the Hands of ſuch Perſons, whoſe Jea- ‘ louſies nothing elſe will remove) which indeed is ‘ ſuch a way, as if there being Differences and Suits ‘ between two Perſons, whereof one would have ‘ from the other ſeveral Parcels of his ancient ‘ Land, he ſhould propoſe to him, by way of Ac- ‘ commodation, that he would quit to him all thoſe ‘ in queſtion, with the reſt of his Eſtate, as the moſt ‘ neceſſary and effectual Means to remove all thoſe ‘ Suits and Differences; But we call God to Wit- ‘ neſs, that as for our Subjects Sake theſe Rights are ‘ veſted in us, ſo for their Sakes, as well as for our ‘ own, we are reſolved not to quit them, nor to ſub- ‘ vert (though in a parliamentary Way) the ancient, ‘ equal, happy, well-poiſed, and never-enough com- ‘ mended Conſtitution of the Government of this ‘ Kingdom; nor to make our Self, of a King of ‘ *England*, a Duke of *Venice*; and this of a King- ‘ dom, a Republick.

‘ There being three kinds of Government among ‘ Men, abſolute Monarchy, Ariſtocracy, and De- ‘ mocracy; and all theſe having their particular Con-

'veniences and Inconveniences; the Experience and 1642.
'Wiſdom of our Anceſtors, hath ſo moulded this
'out of a Mixture of theſe, as to give to this
'Kingdom (as far as human Prudence can provide)
'the Conveniences of all three, without the Inconve-
'niences of any one, as long as the Ballance hangs
'even between the three Eſtates, and they run joint-
'ly on in their proper Channel, (begetting Verdure
'and Fertility in the Meadows on both Sides) and
'the overflowing of either on either Side, raiſe no
'Deluge or Inundation. The Ill of abſolute Mo-
'narchy, is Tyranny; the Ill of Ariſtocracy, is
'Faction and Diviſion; the Ills of Democracy, are
'Tumults, Violence, and Licentiouſneſs. The
'Good of Monarchy, is the uniting a Nation under
'one Head, to reſiſt Invaſion from Abroad, and In-
'ſurrection at Home; the Good of Ariſtocracy, is
'the Conjunction of Council in the ableſt Perſons of
'a State for the publick Benefit; the Good of De-
'mocracy, is Liberty, and the Courage and Induſtry
'which Liberty begets.

'In this Kingdom the Laws are jointly made by a
'King, by a Houſe of Peers, and by a Houſe of
'Commons, choſen by the People, all having free
'Votes and particular Privileges. The Government
'according to theſe Laws, is truſted to the King;
'Power of Treaties, of War and Peace, of making
'Peers, of chuſing Officers and Counſellors for State,
'Judges for Law, Commanders for Forts and Caſ-
'tles; giving Commiſſion for raiſing of Men; to
'make War Abroad, or to prevent or provide a-
'gainſt Invaſions or Inſurrections at Home; Benefit
'of Confiſcations, Power of Pardoning, and ſome
'more of the like kind are placed in the King. And
'this kind of regulated Monarchy, having this Power
'to preſerve that Authority, without which it would
'be diſabled to preſerve the Laws in their Force, and
'the Subjects in their Liberties and Properties, is
'intended to draw to him ſuch a Reſpect and Rela-
'tion from the Great Ones, as may hinder the Ills

1642. ‘ of Diviſion and Faction; and ſuch a Fear and Re-
‘ verence from the People, as may hinder Tumults,
‘ Violence, and Licentiouſneſs.

‘ Again, That the Prince may not make uſe of this
‘ high and perpetual Power to the Hurt of thoſe for
‘ whoſe Good he hath it; and make uſe of the Name
‘ of *Publick Neceſſity*, for the Gain of his private Fa-
‘ vourers and Followers, to the Detriment of his Peo-
‘ ple, the Houſe of Commons, (an excellent Con-
‘ ſerver of Liberty, but never intended for any Share
‘ in Government, or the chuſing of them that ſhould
‘ govern) is ſolely intruſted with the firſt Propoſiti-
‘ ons concerning the Levies of Moneys, (which is the
‘ Sinews as well of Peace as of War) and the im-
‘ peaching of thoſe, who for their own Ends, though
‘ countenanced by any ſurreptitiouſly-gotten Com-
‘ mand of the King, have violated that Law, which
‘ he is bound (when he knows it) to protect; and
‘ to the Proſecution of which they were bound to
‘ adviſe him, at leaſt not to ſerve him in the con-
‘ trary. And the Lords being truſted with a Judi-
‘ catory Power, are an excellent Skreen and Bank
‘ between the Prince and People, to aſſiſt each againſt
‘ the Incroachments of the other; and by juſt Judg-
‘ ments to preſerve that Law, which ought to be the
‘ Rule of every one of the Three. For the better
‘ enabling them in this, beyond the Examples of any
‘ of our Anceſtors, we were willingly contented to
‘ oblige our Self, both to call a Parliament every
‘ three Years, and not to diſſolve it in fifty Days:
‘ And for the preſent Exigent, the better to raiſe
‘ Money, and to avoid the Preſſure, (no leſs grievous
‘ to us than them) our People muſt have ſuffered by
‘ a longer Continuance of ſo vaſt a Charge as two
‘ great Armies; and for their greater Certainty of
‘ having ſufficient Time to remedy the Inconveniences
‘ ariſen, during ſo long an abſence of Parliaments,
‘ and for the Puniſhment of the Cauſers and Mini-
‘ ſters of them, we yielded up our Right of diſſolv-
‘ ing this Parliament, expecting an extraordinary

‘ Moderation

'Moderation from it, in Gratitude for ſo unexam- 1642.
'pled a Grace, and little looking that any malig-
'nant Party ſhould be encouraged, or enabled to
'have perſwaded them, firſt to countenance the In-
'juſtices and Indignities we have endured, and then
'by a new way of Satisfaction for what was taken
'from us, to demand of us at once to confirm what
'was ſo taken, and to give up almoſt all the reſt.

'Since therefore the Power, legally placed in both
'Houſes, is more than ſufficient to prevent and re-
'ſtrain the Power of Tyranny, and without the
'Power, which is now asked from us, we ſhall not
'be able to diſcharge that Truſt, which is the End
'of Monarchy, ſince this would be a total Subver-
'ſion of the Fundamental Laws, and that excellent
'Conſtitution of this Kingdom, which hath made
'this Nation ſo many Years, both famous and happy
'to a great degree of Envy; ſince to the Power of
'puniſhing (which is already in your Hands ac-
'cording to Law) if the Power of Preferring be
'added, we ſhall have nothing left for us but to
'look on, ſince the encroaching of one of theſe E-
'ſtates upon the Power of the other is unhappy in
'the Effects, both to them and all the reſt; ſince
'this Power of at moſt a joint Government in us
'with our Counſellors (or rather our Guardians) will
'return to us to the worſt kind of Minority, and
'make us deſpicable both at home and abroad, and
'beget eternal Factions and Diſſentions (as deſtruc-
'tive to publick Happineſs as War) both in the cho-
'ſen, and in the Houſes that choſe them, and the
'People who choſe the Chuſers; ſince ſo new a
'Power will undoubtedly intoxicate Perſons who
'were not born to it, and beget not only Diviſions
'among them as Equals, but in them Contempt of
'us, as become an Equal to them, and Inſolence
'and Injuſtice toward our People, as now ſo much
'their Inferiours, which ſhall be the more grievous
'unto them, as ſuffering from thoſe Men who were
'ſo lately of a nearer degree to themſelves: And

1642. 'being to have a redreſs only from thoſe that placed 'them; and fearing they may be inclined to pre-'ſerve what they have made, both out of Kindneſs 'and Policy, ſince all great Changes are extremely 'inconvenient, and almoſt infallibly beget yet great-'er Changes, which beget yet greater Inconveni-'ences.

'Since as great an one in the Church, muſt follow 'this of the Kingdom; ſince the ſecond Eſtate 'would in all Probability follow the Fate of the firſt, 'and by ſome of the turbulent Spirits Jealouſies 'would ſoon be raiſed againſt them, and the like 'Propoſitions for Reconciliation of Differences would 'be then ſent to them, as they now have joined 'to ſend to us till (all Power being veſted in the 'Houſe of Commons, and their Number making 'them incapable of tranſacting Affairs of State with 'the neceſſary Service and Expedition, thoſe being 'retruſted with ſome cloſe Committee) at laſt the 'Common People (who in the mean Time muſt be 'flattered, and to whom Licence muſt be given in 'all their wild Humours, how contrary ſoever to 'eſtabliſhed Law, or their own real Good) diſcover 'this *Arcanum Imperij*, That all this was done by 'them, but not for them, and grow weary of Jour-'ney-Work, and ſet up for themſelves, call Parity 'and Independence Liberty, devour that Eſtate which 'had devoured the reſt, deſtroy all Rights and Pro-'perties, all Diſtinctions of Families and Merit; 'and by this means this ſplendid and excellently di-'ſtinguiſhed Form of Government end in a dark 'equal Chaos of Confuſion, and the long Line of 'our many Noble Anceſtors in a *Jack Cade*, or a '*Wat Tyler*.

'For all theſe Reaſons to all theſe Demands our 'Anſwer is, *Nolumus Leges Angliæ mutari*: But this 'we promiſe, that we will be as careful of preſerv-'ing the Laws in what is ſuppoſed to concern wholly 'our Subject, as in what moſt concerns our Self: 'For indeed we profeſs to believe, that the preſerva-

'tion

'tion of every Law concerns us, thoſe of Obedience 1642.
'being not ſecure, when thoſe of Protection are vio-
'lated; and we being moſt of any injured in the leaſt
'Violation of that by which we enjoy the higheſt
'Rites and greateſt Benefits, and are therefore o-
'bliged to defend no leſs by our Intereſt, than by
'our Duty, and hope that no Jealouſies to the con-
'trary ſhall be any longer nouriſhed in any of our
'good People by the ſubtle Inſinuations and ſecret
'Practices of Men, who for private Ends are diſaf-
'fected to our Honour and Safety, and Peace and
'Proſperity of our People. And to ſhew you, that
'no juſt Indignation at ſo reproachful Offers ſhall
'make us refuſe to grant what is probable to con-
'duce to the Good of our good People, becauſe of
'the ill Company it comes in, we will ſearch care-
'fully in this Heap of unreaſonable Demands, for ſo
'much as we may (complying with our Conſcience,
'and the Duty of our Truſt) aſſent unto, and ſhall
'accordingly agree to it.

'In purſuance of which Search in the Fourth Pro-
'poſition, under a Demand, which would take from
'us that Truſt, which God, Nature, and the Laws
'of the Land have placed in us, and of which none
'of you could endure to be deprived, we find ſome-
'thing to which we give this Anſwer, That we have
'committed the Principal Places about our Children
'to Perſons of Quality, Integrity and Piety, with
'eſpecial regard that their tender Years might be ſo
'ſeaſoned with the Principles of the true Proteſtant
'Religion, as (by the Bleſſing of God upon this our
'Care) this whole Kingdom may in due Time reap
'the Fruits thereof: And as we have been likewiſe
'very careful in the Choice of Servants about them,
'that none of them may be ſuch, as by ill Princi-
'ples, or by ill Examples, to croſs our Endeavours
'for their pious and virtuous Education; ſo if their
'ſhall be found (for all our Care to prevent it) any
'Perſon about our Children (or about us, which is
'more than you ask) againſt whom both Houſes

1642. ‘ ſhall make appear to us any juſt Exception, we ‘ ſhall not only remove them, but thank you for the ‘ Information; only we ſhall expect that you ſhall ‘ be likewiſe careful, that there be no under-hand ‘ dealing by any to ſeek Faults to make room for o- ‘ thers to ſucceed in their Places.

‘ For the Fifth Demand, as we will not ſuffer any ‘ to ſhare with us in our Power of Treaties, which ‘ are moſt improper for Parliaments, and leaſt of all ‘ in thoſe Treaties in which we are neareſt concerned, ‘ not only as a King, but as a Father; yet we do ‘ (ſuch is our deſire to give all reaſonable Satisfacti- ‘ on) aſſure you by the Word of a King, that we ‘ ſhall never propoſe or entertain any Treaty whatſo- ‘ ever for the Marriage of any of our Children, ‘ without due regard to the true Proteſtant Religion, ‘ the Good of our Kingdom and the Honour of our ‘ Family.

‘ For the Sixth Demand, concerning the Laws in ‘ Force againſt Jeſuits, Prieſts, and Popiſh Recu- ‘ ſants, we have by many of our Meſſages to you, ‘ by our voluntary Promiſes to you ſo ſolemnly made, ‘ never to pardon any Popiſh Prieſt, by our ſtrict ‘ Proclamations lately publiſhed in this Point, and ‘ by the Publick Examples which we have made in ‘ that Caſe ſince our Reſidence at *York*, and before ‘ at *London*, ſufficiently expreſſed our Zeal herein. ‘ Why do you then ask that in which our own Incli- ‘ nation hath prevented you? And if you can yet ‘ find any more effectual Courſe to diſable them ‘ from diſturbing the State, or eluding the Law by ‘ Truſt, or otherwiſe, we ſhall willingly give our ‘ Conſent to it.

‘ For the Seventh Demand, concerning the Votes ‘ of the Popiſh Lords, we underſtand, that they in ‘ Diſcretion have withdrawn themſelves from the Ser- ‘ vice of the Houſe of Peers, (and had done ſo when ‘ uſe was publickly made of their Names to aſperſe ‘ the Votes of that Houſe, which was then counted ‘ as Malignant as thoſe, who are called our unknown

‘ and

'and unſworn Counſellors, are now;) neither do we 1642.
'conceive, that ſuch a poſitive Law againſt the Votes
'of any whoſe Blood gives them that Right, is ſo
'proper in regard of the Privilege of Parliament,
'but are content, that ſo long as they ſhall not be
'conformable to the Doctrine and Diſcipline of the
'Church of *England*, they ſhall not be admitted to
'ſit in the Houſe of Peers, but only to give their
'Proxies to ſuch Proteſtant Lords as they ſhall
'chooſe, who are to diſpoſe of them as they them-
'ſelves ſhall think fit, without any reference at all
'to the Giver.

'As to the Deſires for a Bill for the Education of
'Papiſts by Proteſtants in the Proteſtant Profeſſion,
'many about us can witneſs with us, that we have
'often delivered our Opinion, that ſuch a Courſe
'(with God's Bleſſing upon it) would be the moſt
'effectual for the rooting of Popery out of this King-
'dom; we ſhall therefore thank you for it, and en-
'courage you in it, and when it comes unto us, do
'our Duty: And we heartily wiſh for the Publick
'Good, that the Time you have ſpent in making
'Ordinances without us, had been employed in pre-
'paring this and other good Bills for us.

'For the Eighth, touching the Reformation to
'be made of the Church-Government and Liturgy,
'we had hoped that what we had formerly declared
'concerning the ſame had been ſo ſufficiently under-
'ſtood by you, and all good Subjects, that we
'ſhould not need to have expreſſed our Self further
'in it. We told you in our Anſwer to your Petiti-
'on, preſented to us at *Hampton-Court* the firſt of
'*December*, that for any illegal Innovations which
'may have crept in, we ſhould willingly concur in
'the removal of them; and if our Parliament ſhould
'adviſe us to call a National Synod, which may duly
'examine ſuch Ceremonies as give juſt Cauſe of
'Offence to any, we ſhould take it into Conſiderati-
'on, and apply *our Self to give due Satisfaction therein*;
'*that we were perſwaded in our Conſcience, that no*
Church

1642. ‘ *Church could be found upon the Earth, that professeth* ‘ *the true Religion with more Purity of Doctrine than* ‘ *the Church of* England *doth, nor where the Govern-* ‘ *ment and Discipline are more jointly beautified, and* ‘ *free from Superstition, than as they are established by* ‘ *Law.* Which, (by the Grace of God) we will with ‘ Constancy maintain (while we live) in their Purity ‘ and Glory, not only against all Invasions of Pope- ‘ ry, but also from the Irreverence of those many ‘ Schismaticks and Separatists, wherewith of late this ‘ Kingdom, and our City of *London* abounds, to ‘ the great Dishonour and Hazard both of Church ‘ and State; for the Suppression of whom we required ‘ your timely and active Assistance. We told you ‘ in our first Declaration, printed by the Advice of ‘ our Privy-Council, *That for Differences amongst our* ‘ *selves for Matters indifferent in their own Nature con-* ‘ *cerning Religion, we should in Tenderness to any Num-* ‘ *ber of our loving Subjects, very willingly comply with* ‘ *the Advice of our Parliament, that some Law might* ‘ *be made for the Exemption of tender Consciences from* ‘ *Punishment, or Prosecution for such Ceremonies, and* ‘ *in such Cases, which by the Judgment of most Men are* ‘ *held to be Matters indifferent, and of some to be abso-* ‘ *lutely unlawful; Provided that this Ease should be* ‘ *attempted and pursued with that Modesty, Temper,* ‘ *and Submission, that in the mean Time the Peace and* ‘ *Quiet of the Kingdom be not disturbed, the Decency and* ‘ *Comeliness of God's Service discountenanced, nor the* ‘ *pious, sober, devout Actions of those Reverend Persons* ‘ *who were the first Labourers in the blessed Reformati-* ‘ *on, or of that Time, be scandalized and defamed.* And ‘ we heartily wish, that others whom it concerned, ‘ had been as ready as their Duty bound them, ‘ though they had not received it from us, to have ‘ pursued this Caution, as we were, and still are ‘ willing and ready to make good every particular ‘ of that Promise. Nor did we only appear willing ‘ to join in so good a Work, when it should be ‘ brought us, but pressed and urged you to it in our

‘ Message

'Meſſage of the 24th of *February*, in theſe words: 1642.
'*And becauſe his Majeſty obſerves great and different*
'*Troubles to ariſe in the Hearts of People concerning the*
'*Government and Liturgy of the Church, his Majeſty*
'*is willing to declare, That he will refer the whole Con-*
'*ſideration to the Wiſdom of his Parliament, which he*
'*deſires them to enter into ſpeedily, that the preſent Diſ-*
'*tractions about the ſame may be compoſed; but deſires*
'*not to be preſt to any ſingle Act on his part, till the*
'*whole be ſo digeſted and ſettled by both Houſes, that his*
'*Majeſty may clearly ſee what is fit to be left, as well*
'*as what is fit to be taken away:* Of which we the
'more hoped of a good Succeſs to the general
'Satisfaction of our People, becauſe you ſeem in
'this Propoſition to deſire but a *Reformation*, and
'not, as is daily preached for as neceſſary in thoſe
'many Conventicles which have within theſe Nine-
'teen Months began to ſwarm, and which, though
'their Leaders differ from you in this Opinion, yet
'appear to many as countenanced by you, by not
'being puniſhed by you (few elſe by reaſon of the
'Order of the Houſe of Commons of the 9th of
'*September* daring to do it) a Deſtruction of the
'preſent Diſcipline and Liturgy. And we ſhall
'moſt chearfully *give our beſt Aſſiſtance for raiſing a*
'*ſufficient Maintenance for preaching Miniſters*, in ſuch
'Courſe as ſhall be moſt for the Encouragement and
'Advancement of Piety and Learning.

'For the Bills you mention, and the Conſultation
'you intimate, knowing nothing of the particular
'Matters of the one (though we like the Titles
'well) nor of the manner of the other, but from
'an Informer, (to whom we give little Credit, and
'we wiſh no Man did more) common Fame, we can
'ſay nothing till we ſee them.

'For the Eleventh, we would not have the *Oath*
'*of all Privy-Counſellors and Judges* ſtraitned to par-
'ticular Statutes of one or two particular Parlia-
'ments, but extend to all Statutes of all Parliaments,
'and the whole Law of the Land, and ſhall willing-

'ly

1642. ly consent, *That an Enquiry of all the Breaches and Violations of the Law may be given in Charge by the Justices of the* King's-Bench *every Term, and by the Judges of Assize in their Circuits, and Justices of the Peace at the Sessions, to be presented and punished according to Law.*

'For the Seventeenth, we shall ever be most ready, (and we are sorry it should be thought needful to move us in it) not only to join with any (particularly *with the States of the United Provinces*, of which we have given a late Proof in the Match of our Daughter) *for the Defence and Maintenance of the Protestant Religion against all Designs and Attempts of the Pope and his Adherents*; but singly (if need were) to oppose with our Life and Fortune *all such Designs* in all other Nations, were they joined: And that for Consideration of Conscience, far more than any Temporal End *of obtaining access of Strength and Reputation*, or any natural End *of restoring our Royal Sister and her Princely Issue to their Dignities and Dominions*, though these likewise be much considered by us.

'For the Eighteenth, it was not our Fault that an Act was not passed *to clear the Lord* Kimbolton, *and the Five Members of the House of Commons*, but yours, who inserted Clauses into both the Preamble and Act, (perhaps perswaded to it by some who wish not that you should in any thing receive Satisfaction from us) as by passing the Preamble, we must have wounded our Honour against our Conscience, and by another Clause have admitted a Consequence, from which we could never have been secured, by declaring, *That no Member of either House, upon any Accusation of Treason, could have his Person seized without the Consent of that House of which he is a Member*; though the known Law be, *That Privilege of Parliament extends not to Treason*; and if it did, any Member (the House being for a short time adjourned, and so their Consent not being so had) how treasonable soever

'his

'his Intentions were, how clearly ſoever known, 1642.
'and how ſuddenly ſoever to be executed, muſt
'have fair Leave given him to go on, and purſue
'them; no way, how legal ſoever, after the paſſing
'ſuch a Clauſe being left to prevent it. (3)

'To conclude, we conjure you, and all Men, to
'reſt ſatisfied with the Truths of our Profeſſions,
'and the Reality of our Intentions, not to ask ſuch
'things as deny themſelves, that you declare againſt
'Tumults and puniſh the Authors; that you allow

REM. (3). *The King, in ſhowing the Inconveniencies of this Clauſe, lays down a Caſe different from that of the Six Members accuſed. For he ſuppoſes to demonſtrate theſe Inconveniencies, that the Treaſon is manifeſt, and juſt going to be executed. Whereas the Difference between the King and the Parliament conſiſted in that the Parliament deſired to ſee the Proofs, before they conſented to the Proſecution of their Members. Beſides, this Maxim, that the Privileges of Parliament reached not to treaſonable Caſes, is very ambiguous. For it may ſignify either that in caſe of real, manifeſt, or apparent Treaſon, the Members of Parliament have no more Privilege than the reſt of the Subjects, or elſe that by a bare Accuſation of Treaſon, true or falſe, a Member may be committed to Priſon like any other private Perſon. The King took it and would have it taken in this laſt Senſe, but the Parliament would admit it only in the Firſt. But that the King's Senſe was wrong, evidently appears, in that when, for Inſtance, a Peer is accuſed of Treaſon, he is not ſent to the* Tower, *according to the uſual Courſe of Juſtice, as a private Perſon would be, but by Order of his Houſe, which thinks proper to conſent to his Proſecution. Without this Conſent, the King cannot ſend him to the* Tower *by his own Authority, and upon a bare Accuſation. In ſhort, no leſs Inconveniencies attended the King's Senſe, ſince in that Caſe the King upon bare Accuſations, whether true or falſe, might impriſon all the principal Members of both Houſes.*

'us

1642. 'us our Propriety in our Towns, Arms and Goods, 'and our Share in the Legiſlative Power, which 'would be counted in us not only Breach of Privi-'lege, but Tyranny and Subverſion of Parliaments 'to deny to you. And when you ſhall have given 'us Satisfaction upon thoſe Perſons who have taken 'away the one, and recalled thoſe Declarations (par-'ticularly that of the 26th of *May*) and thoſe in the 'Point of the *Militia* (our juſt Rights, wherein we 'will no more part with than with our Crown, leſt 'we enable others by them to take that from us) 'which would take away the other, and declined the 'Beginnings of a War againſt us, under Pretence of 'our Intention of making one againſt you; as we 'have never oppoſed the firſt Part of the Thirteenth 'Demand, ſo we ſhall be ready to concur with you 'in the latter.

'And being then confident that the Credit of thoſe 'Men, who deſire a general Combuſtion, will be ſo 'weakened with you, that they will not be able to 'do this Kingdom any more harm, we ſhall be wil-'ling to grant our general Pardon, with ſuch Ex-'ceptions as ſhall be thought fit, and ſhall receive 'much more Joy in the Hope of a full and conſtant 'Happineſs of our People in the true Religion, and 'under the Protection of the Law by a bleſſed 'Union between us and our Parliament (ſo much de-'ſired by us) than any ſuch encreaſe of our Revenue '(how much ſoever beyond our former Grants) as '(when our Subjects were wealthieſt) our Parlia-'ment could have ſettled upon us.'

I ſhall only make one general Remark upon this Anſwer of the King's, but which to me ſeems abſolutely neceſſary. And that is, that all the Beginning, which includes two Thirds, is entirely needleſs, ſince the King treats not of the Point in Diſpute between him and the Parliament. The Queſtion was not to know, whether the Laws aſcribed ſuch and ſuch Power to the King, but to know whether the King

King having abuſed this ſame Power, his Word that he would govern according to the Law of the Land, ought to be depended upon for the future. The King throughout the Beginning of his Anſwer, ſuppoſes an Ignorance of what is due to a King of *England*, or a cauſeleſs Denial of the ſame. As to the firſt Point, he pretends to acquaint the Publick with the Nature of the *Engliſh* Conſtitution, a very ſuperfluous thing, ſince no body diſagreed with him. He ſtands to the general Poſition acknowledged by all the World, but ſays not a word to the particular Queſtion which was the only Subject of the Diſpute. As to the ſecond Point, he does not deny that he had abuſed his Power, but makes no other Anſwer to the Conſequence drawn by the Parliament from this Abuſe, than that he promiſes to behave better for the future. 1642.

It is eaſy to ſee that neither the Parliament's Propoſitions nor the King's Anſwer were proper to beget an Accommodation. Accordingly it may be affirmed, that neither Side thought of any ſuch thing. When the King publiſhed his Anſwer, he had received ſome Arms, Ammunition, and Pieces of Ordnance from *Holland*, and beſides that, he was preparing to beſiege *Hull*. Though great part of the Arms were now removed to *London*, he hoped to find enough there ſtill to ſupply his moſt urgent Occaſions. Moreover, this Place, which was one of the ſtrongeſt in the Kingdom, might be of great Service to him to keep the adjacent Country in his Intereſt.

The Motives of the Presbyterians in the Rupture.

On the other Hand, the *Presbyterian* Party, who then prevailed in the Parliament, had very near attained their Deſire, that is to ſay, brought Things to a Rupture, which gave them room to hope they ſhould quickly have opportunity to accompliſh the reſt of their Project. Indeed, this Rupture between the King and the Parliament being ſuppoſed, it was manifeſt the Kingdom would be governed by the Parliament and the King, ſeparately, and not jointly as before, that is, they would each govern thoſe of their Party; in which caſe, the Parliament would have

1642. have no more occasion for the King's Consent, who would be looked upon as an Enemy, and consequently they might ordain whatever they pleased without any Opposition. This was the precise Point to which all the Proceedings of the *Presbyterian* Party had tended, without their discovering themselves however any more than was necessary to support the Expectations of their Adherents. For till now it highly concerned them to make the Publick and the Members who were not of their Side believe, that they acted in Conjunction with the other Members, with the sole View of vindicating the common Liberty against the Encroachments of the King.

Double Views of the Presbyterians.

It is certain that from the very Beginning, there was in this Parliament a *Presbyterian* Party, whose Aim was to alter the Church-Government. But that this was the sole View of the *Presbyterians*, as many assert, is what I don't see any sure Grounds for. Why might not these Men, with their Endeavours to erect their Discipline upon the Ruins of the Church, join another End, I mean, the Prevention of the King's and his Party's Incroachments upon the publick Liberty? There were, certainly, in this very Parliament Members who were very far from being *Presbyterians*, and yet had the same End: Why might not the *Presbyterians* have it too, together with that which was peculiar to them? Is it so uncommon a Thing to see People propose to themselves two different Ends in one and the same Undertaking? I confess I do not see any unlikelihood in such a Supposition. The *Presbyterian* Party therefore must be considered as acting with those two Views, and this is so true, that undeniable Proofs of it will appear in the Sequel of this Reign. But their Enemies have been pleased to ascribe to them the First only, that they might charge them with putting the Kingdom in a Flame, purely for the Sake of establishing the *Presbyterian* Government in the Church. I do not deny that this Motive contributed very much to it. But it does not follow that the Reasons the Parliament

ment went upon, in refuſing to confide in the King, were frivolous. Rather the quite contrary may be inferred from thence. For if theſe Reaſons had not been plauſible, the *Presbyterians* would never have been able to execute their Projects, and form ſo ſtrong a Party in a Kingdom, where in the Beginning of this Parliament, they made ſo poor a Figure. But they had the Cunning to make the general Diſcontent, which actually ſubſiſted, ſubſervient to bring Matters to the Paſs they deſired. It cannot be ſaid, that they bred this univerſal Diſcontent, though it can ſcarce be doubted but they helped to inflame it, becauſe it was neceſſary to their Views. 1642.

Order of the Houſe concerning the Sale of the Crown Jewels. Ruſh. IV. p. 736. June 2.

The Parliament having received Advice from *Holland* that the Queen had pawned or ſold ſome of the Crown-Jewels at *Amſterdam*, publiſhed the 2d of *June* an Order, declaring, that whoſoever was concerned in the ſelling or pawning theſe Jewels, or in the bringing any Money to the King by way of Bill of Exchange or otherwiſe, ſhould be accounted an Enemy to the State. But the Queen had already laid out the Money in purchaſing Arms and Ammunition, which ſhe had conveyed to the King on board a ſmall Ship called *the Providence*, which the very Day the Parliament publiſhed this Order ſafely arrived in *Burlington*-Bay, after having been hotly chaced by part of the Parliament's Fleet, commanded by the Earl of *Warwick*.

The King receives Arms from Holland.

The King orders his Party to leave the Parliament.

Some time before, the King finding the War inevitable, had ordered his Friends in the two Houſes to abſent themſelves from the Parliament. He was in hopes, by leſſening ſo conſiderably the Number of the Members, to leſſen the Credit of the Parliament. But this Policy turned not to his Advantage. It is true, both Houſes were conſiderably leſſened in Number. But then the King's Party there grew ſo weak, that they could no longer oppoſe the Reſolutions taken againſt the King. Though the two Houſes were not ſorry to be rid of theſe Spies, they believed however, it was neceſſary to take ſome Meaſures, to hinder

Precautions of the Commons.

1642. hinder a greater Defection, or to let the People see that it was not their fault if the Parliament was not so numerous as it had been hitherto. The *Commons* therefore ordered all the Sheriffs of the Kingdom to give notice to the Representatives to attend the House by the 16th of *June*, on forfeiture of One Hundred Pounds, and on pain of undergoing such further Punishment as the House should think fit.

Severity of the Peers against Nine absent Lords. Rush. IV. p. 742.

But the Lords went still farther: For they ordered Nine of their Members*, who had repaired to the King at *York* to appear at the Bar the 8th of *June* as *Delinquents*. These Nine Lords having sent their Excuse by a Letter, the *Commons* forthwith prepared an Impeachment against them, and sent it up to the Lords. The 27th of the same Month*1 the Peers pronounced Sentence against the Nine Lords, declaring they should not sit or vote in the House during the present Parliament, and should stand committed to the *Tower* during the Pleasure of the House.

The Parliament takes up Money upon Loans. June 10. Rush. IV. p. 743.

These were little Preludes to the War which was going to be kindled. But on the 10th of *June* both Houses gave a more evident Token of their Design, for upon receiving Advice that the King was actually giving out Commissions to levy Forces, they published Proposals for the bringing in of *Money* or *Plate* for the Defence of the Kingdom. This is what the King's Friends will have to be considered as the first Declaration of War on the Parliament's Side, and pretend to show thereby that they were the Aggressors. But it is certain, the King long before had taken Measures to prepare for War, and there is no doubt the Parliament had done so too, though perhaps more secretly than the King. Be this as it will, after we have seen by all that has been said, what were the true Grounds and Causes of the War, it seems to be of little Moment to know which of the two

* The Earls of *Northampton*, *Devonshire*, *Monmouth* and *Dover*, and the Lords *Rich*, *Andover*, *Grey* of *Ruthen*, *Coventry* and *Capel*. Rush. IV. p. 737.

1 On the 20th of *July*. *Rush.* IV. p. 742.

two Parties first discovered the Measures they had taken whether to attack or defend. For that is at most what is sought after in the Question, *Which of the Parties began the War?* 1642.

The King having notice of what the Parliament had done for the speedy raising of Money, writ to the Lord-Mayor of *London*, commanding him to publish the Letter, wherein he forbid the Citizens to lend any Money to both Houses. This Letter occasioned their publishing a Declaration, the Aim whereof was to make the People sensible that the Parliament was under an absolute necessity of preparing for their Defence. They said, his Majesty having so often threatned them about *Hull* and the *Militia*, they could not but look upon his Preparations as a Design to make War upon his Parliament.

The King's Letter to the Mayor of London. June 14. Rush. IV. p. 746.

The Parliament's Declaration thereupon. June 21. Ibid.

The King made to this Declaration a long Answer full of Reproaches of the illegal Proceedings of both Houses against him. He did not deny that he intended to have Justice in the Cases of *Hull* and the *Militia*, or lose his Life in requiring it, and affirmed that his so doing was no Manner of Proof of his designing to make War against the Parliament, but only of his Intention to defend himself against their Attacks. The Parliament said the same thing on their Part, and each endeavoured to cast the Blame of the War on the opposite Party. I did not think it necessary to insert these last Papers, there being nothing new in them. They contain the same Reproaches and the same Vindications on both Sides, as were seen in the former Declarations. I shall only observe that even at the very time when the War was going to begin, and all Prospect of Accommodation vanished, the King thought it very strange that his Prerogatives should be violated, and the Parliament raise Forces without his Approbation. He used the same Stile all along, even in the very midst of the War. In fine, the Parliament, tired of these Paper-Skirmishes, of which there was no end, and which consumed a great deal of Time, forbid by a printed

The King's Answer. Ibid. p. 748.

The Parliament forbids the publishing of the K's Papers. July 4. Rush IV. p. 751.

1642. printed Order the publishing any Declarations or Papers of the King's that should be contrary to the Ordinances of the Parliament. After that there was no hopes of Peace, so all thoughts of it were laid aside by both Parties.

Project of the King's to become Master of the Fleet;

The King, before he came to an open Declaration, had a mind to execute two Designs he had formed. The First was to become Master of the Fleet; and the Second to besiege *Hull*. The Project about the Fleet was wholly grounded upon the Hopes he had conceived that the Captains of the Ships would declare for him as soon as he should command them. In this belief he writ to each Captain in particular, requiring him without delay, and without demanding any Orders from his Superiors, to bring away his Ship to *Burlington*-Bay, and yield no further Obedience to the Earl of *Warwick*. He sent withal a Letter to the Earl of *Warwick*, to forbid him to meddle any more in the Command of the Fleet. The Letters to the Captains were to be delivered, as they were accordingly, before that directed to the Earl of *Warwick*. The King dispatched at the same time a Messenger to *London* to carry to the Earl of *Northumberland* a Revocation of his Commission of Admiral, under the Great-Seal. The Earl of *Warwick*, who was then on Shore, having notice of what was doing in the Fleet, went immediately on board his Ship, and summoned all the Captains to attend him in a Council of War. All obeyed, notwithstanding the King's Orders, except Five, who joined together to make their Defence in case they should be attacked. The rest protested to their Admiral they would obey his Commands. As soon as he had made sure of these, he caused them to come to an Anchor round the Five others, in order to compel them to submit. But Three of them thought fit to come in upon a Summons. The Two that still held out suffered themselves to be shamefully taken by unarmed Boats, and were sent to *London*. Thus the King was disappointed of his Aim, for which, though of great Importance,

is frustrated.

tance, he had not doubtleſs taken very proper Meaſures, as appeared by the Event *. 1642.

After this fruitleſs Attempt, the King believed it was to no purpoſe to diſſemble any longer, and that he muſt at laſt begin the War. To that End, he ordered the Duke of *Newcaſtle* to ſecure the Town of *Newcaſtle*, which was done, though with ſome Difficulty, and then he cauſed *Tinmouth*-Caſtle to be ſeized alſo. At the ſame Time, he ſent many Lords and Gentlemen into their reſpective Shires to levy Forces, and by a Patent under the Great-Seal, appointed the Earl of *Hertford* his Lieutenant-General of the *Weſtern*-Counties. He kept near his Perſon the Earl of *Lindſey* to be under him, General of his Army. Sir *Jacob Aſhley* was General of the *Foot*, and the Place of General of the *Horſe*, was reſerved for Prince *Rupert*, the King's Nephew, and Brother to the Elector Palatine, who was daily expected. *The King prepares for War.*

Though the King had pretended to raiſe only a Guard for his Perſon, it was found however that in the beginning of the Month of *July*, he had about three Thouſand *Foot*, and ſeven or eight Hundred *Horſe*, with which he reſolved to march to *Hull*. He ſtaied ſome Days at *Beverley* about ſix Miles from *Hull*, and iſſued out a Proclamation to ſignify his Intention to beſiege *Hull*, and the Reaſons that induced him thereto. As they have already been ſeen, it is needleſs to repeat them. Three Days after he ſent the Proclamation to the Parliament, with a Meſſage, requiring them that the Town of *Hull* might be forthwith delivered up to him. *He marches to beſiege* Hull. Ruſh. IV. p. 601.

* Sir *John Pennington*, it ſeems, having refuſed to undertake the Buſineſs, each Captain, as is ſaid above, had Orders to bring away his Ship; but *Pennington* altering his Mind, the Diſpatches were altered too, and the Captains were commanded in their Letters to follow *Pennington*'s Orders, who not coming time enough, the Project came to nothing. Had the firſt Letters gone, the five Ships abovementioned might have got off. *Clarend.* II. p. 665.

1642. *The Parliament's Petition to the King.* July 15. Ibid.

Before the Parliament received this Message, they had resolved to present a Petition to his Majesty to pray him in a very humble manner, to forbear all Preparations for War, to remove his Forces from about *Hull*, to dismiss his Troops, to send away his Garrisons from *Newcastle*, *Tinmouth*, and other Places, for which they promised also on their Part, to lay down all those Preparations they had been forced to make for their Defense. The King returned a long Answer in Writing to this Petition, wherein he repeated good part of what he had said in his Declarations. He made likewise some Propositions to both Houses, allowing them to the 27th of *July* for a full and positive Answer.

The King's Answer. Ibid.

He besieges Hull *in vain.*

The Parliament having returned an unsatisfactory Answer to the Propositions, the King resolved to begin the Siege of *Hull*. But this Enterprize was attended with so bad Success, that after having been some Time before the Town, without being ever the nearer, he was obliged to raise the Siege, or rather Blockade, and return to *York*. The Earl of *Clarendon* says, the King undertook the Siege of *Hull*, upon the Assurance Sir *John Hotham* had given him, that he would deliver up the Place after the firing of a single Shot: But that it was not possible for *Hotham* to keep his Word *.

Goring *Governour of* Portsmouth *declares for the King.*

It was now some Months since, as I said, that the King had gained Colonel *Goring* Governour of *Portsmouth*, who feigning to keep the Place for the Parliament, held it indeed for the King. He received Money

* The Lord *Digby* coming privately to the King at *York*, from beyond Sea, and not finding Matters as he expected, resolved to go back to the Queen and hasten the Supply of Arms, but was taken at Sea by the Ships that were chacing *the Providence*, and brought disguised like a *Frenchman* into *Hull*, where discovering himself to Sir *John Hotham*, he prevailed with him, according to my Lord *Clarendon*, to promise to surrender the Town, if the King would come before it, and make but one Shot. And this, he says, induced the King to march to *Beverly*, in order to besiege *Hull*, before he had any Thing in readiness for such an Undertaking. *Claren.* Vol. II. p. 704--711.

ney from both Sides, to reinforce the Garriſon and raiſe new Works, the Parliament not miſtruſting him, and the King relying upon his Word. In ſhort, about the Time the King was beſieging *Hull*, *Goring* openly declared for him. This happened in the beginning of the Month of *Auguſt*, but three Weeks after the Parliament had iſſued out Orders for levying an Army, which was to be commanded by the Earl of *Eſſex*. The Army not being yet ready, both Houſes, though aſtoniſhed at *Goring*'s Defection, were not however diſheartened. As it was of the utmoſt Importance to recover this Place, the ſtrongeſt in the Kingdom, before the King ſhould be able to relieve it, they diſpatched with ſpeed a Committee, whom they empowered to aſſemble the *Militia* of the neighbouring Counties, in order to block up *Portſmouth* by Land, whilſt the Earl of *Warwick* was commanded to do the ſame by Sea. Luckily for the Parliament, *Goring*, though he had received from them three Thouſand Pounds, and the like Sum from the King, had neglected to lay in the neceſſary Proviſions for a Siege, and particularly Corn and Salt, ſo that in the very beginning of the Blockade, he found he ſhould be able to hold out but a very little while. This made him reſolve to capitulate. He ſurrendered the Place to the Committee, only for Liberty to retire into *Holland*, [and for his Officers to repair to the King.]

1642.

He is blocked up.

He capitulates.

During the Blockade of *Portſmouth*, the King not at all doubting but *Goring* was in Condition to defend that Place, publiſhed at laſt a Declaration that had long been ready, wherein he Sums up all the Complaints he had already made againſt both Houſes. As the Reader is ſufficiently informed of theſe Matters, there is no occaſion to inſert here this new Declaration. Only it muſt be remarked, that the King declared both Houſes guilty of High-Treaſon, and forbid all his Subjects to yield any Obedience to them: And at the ſame time iſſued out a Proclamation, requiring all Men who could bear Arms to repair

The King's Manifeſto.

Proclamation to attend the Royal Standard.

1642. pair to him by the 25th of *Auguſt* at *Nottingham*, where he intended to ſet up his Royal-Standard, which all good Subjects were obliged to attend. The ſetting up of the Royal-Standard was the antient manner of making known to the People the preſſing Occaſion the King had of their Aſſiſtance, and the Place they were to repair to in order to aid him. The King could not forbear thinking that he was ſtill to be conſidered as uſual, King, and that the ſame Reſpect and Obedience were to be paid him, as if he had never given his People any Cauſe of Complaint. He imagined that the Acts of Grace he had paſſed this Parliament, and his Promiſes to behave better for the future, had wiped out all the ill Impreſſions that his paſt Government had made upon his Subjects, and that although there was a ſtrong Party againſt him in the Parliament, it was otherwiſe among the People. He thought therefore that the ſetting up his Standard would make a ſtrong Impreſſion on the People and induce them to appear in Arms at *Nottingham*. But the Prejudices were too deeply rooted in the Minds of moſt of the Subjects for a bare Ceremony to be able to remove them.

The King gives out new Commiſſions.

Whilſt the Day appointed for the ſetting up of the Standard was expected, the King endeavoured to augment the Number of his Forces. He gave out freſh Commiſſions, and ſent the Earl of *Hertford* and ſome other Lords [and Gentlemen] to manage his Concerns, and raiſe Troops in the *Weſtern*-Parts. For himſelf, he departed from *York*, ſome Days before the 25th of *Auguſt*, and in his way took *Lincoln*, from whence he drew the Arms of the Trained-Bands for his Troops, after which he came to *Nottingham*, and next Day went to take a view of his Horſe.

He takes Lincoln. *And arrives at* Nottingham.

Coventry-*Gates are ſhut againſt him.*

Aug. 20. The Review was no ſooner over, but he was informed that two Regiments of *Foot* were marching towards *Coventry* by the Earl of *Eſſex*'s Orders. Whereupon he made haſte thither with his Cavalry, conſiſting of ſeven or eight Hundred Horſe, in hopes of getting there before the Parliament's Forces, and

ſo

ſo of poſſeſſing himſelf of that City. Accordingly he got thither the Day before the two Regiments: But the Mayor of the City, though without a Garriſon, ſhut the Gates againſt him, and fired upon his Men. He was ſenſibly touched with this Indignity: But as there was no remedy, he was forced to go back to *Nottingham*, leaving the Command of his Cavalry to Commiſſary-General *Wilmot*. 1642.

Wilmot loſes an Opportunity of defeating a Body of the Parliament's Forces.

The next Day, his Body of Horſe being upon a Plain of five or ſix Miles extent, where nothing incumbered them, had a clear view of a Body of twelve Hundred of the Enemies *Foot*, guarded by one Troop of Horſe. *Wilmot*, one would have thought, could not have wiſhed for a fairer Opportunity to attack with Advantage this Body of Foot, who had nothing to ſcreen them. But for what Reaſon it is not known, inſtead of falling upon them he thought only of avoiding them, and even retreated with ſome Precipitation. This was a bad Omen to a War juſt entered into.

The King ſets up his Standard at Nottingham.

At laſt on the 25th of *Auguſt*, the King cauſed his Standard to be erected on a Turret * of *Nottingham*-Caſtle, having with him only ſome unarmed Trained-Bands. His Proclamation had produced ſo little Effect, that hardly any Body was come to attend the Royal Standard. Nay, it happened that the very Day the Standard was ſet up, it grew ſo ſtormy and tempeſtuous, that it was blown down, and could not be fixed again in a Day or two. This was looked upon by many as a fatal Preſage of the War.

It is blown down.

* *Ruſhworth* ſays, it was erected in the open Field on the backſide of the Caſtle-Wall. Vol. IV. p. 783.

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FINIS.

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